

**Contemporary Chinese Political Economy and Strategic Relations:
An International Journal**

Volume 4 Number 2 July/August 2018 ISSN 2410-9681

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Volume 4, Number 2
July/August 2018

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Focus

**Dissent, Political Freedom, Civil Liberties
and the Struggle for Democracy:
Essays in Honour of Liu Xiaobo**

Focus Issue Editors

Joseph Y.S. Cheng Emile K.K. Yeoh



Contemporary Chinese Political Economy and Strategic Relations: An International Journal

Notes for Contributors

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Contemporary Chinese Political Economy and
Strategic Relations: An International Journal

Vol. 4, No. 2, July/August 2018

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Focus – *Dissent, Political Freedom, Civil Liberties and the Struggle for
Democracy: Essays in Honour of Liu Xiaobo*

ISSN 2410-9681

*Contemporary Chinese Political Economy and Strategic Relations:
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An International Journal*
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Website Administration and Maintenance: Wu Chien-yi
Copy-editing, Typesetting, Proofreading: Emile Kok-Kheng Yeoh
Publishing: Institute of China and Asia-Pacific Studies,
National Sun Yat-sen University, Taiwan, ROC
Co-Publishing: Department of Administrative Studies and Politics, Faculty of
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FOREWORD

Dissent Is the Highest Form of Patriotism: Chinese Dissidents and the Legacy of Liu Xiaobo

In his speech delivered in German at the memorial service in Berlin on 13th July 2018 marking the one-year anniversary of Liu Xiaobo's death, the writer Ian Johnson poignantly compared Liu Xiaobo's death in 2016 to the execution of T'an Ssu-t'ung¹ in 1898:

In 1898, some of China's most brilliant minds allied themselves with the Emperor Guangxu, a young ruler who was trying to assert himself by forcing through reforms to open up China's political, economic, and educational systems. But opponents quickly struck back, deposing the emperor and causing his advisors to flee for their lives.

One, however, stayed put. He was Tan Sitong, a young scholar from a far-off corner of the empire. Tan knew that staying in Beijing meant death, but hoped that his execution might help shock his fellow citizens awake.

(Johnson, 2018)

Johnson went on to ponder:

... the deaths of the two resonate across the 120 years that separate them. Like Tan, Liu [Xiaobo] threw his weight behind a cause that in

its immediate aftermath seemed hopeless – in Liu’s case, the 1989 Tiananmen Square protests. But with time, history vindicated Tan; the question I wonder is if it will do the same for Liu.

(*ibid.*)

Just as historian Alan Wood said in his “Preface” to *Limits to autocracy* (1995), “... while I recognize the dangers to truth of relating scholarship to life, I also believe that we who live by the pen bear some measure of obligation, however tenuous, to those who die by the sword”, this special focus issue of *Contemporary Chinese Political Economy and Strategic Relations: An International Journal* dedicated to Liu Xiaobo at the first anniversary of his passing, we believe, could be seen as doing a part in fulfilling such an obligation to contribute to the world some understanding, however modest the effort, of the significance of the life and death of Liu Xiaobo.

As Albert Ho Chun-yan concludes his introductory commentary, “Liu Xiaobo as the Spiritual Rival of Xi Jinping”, in this collection of essays: “Liu Xiaobo’s death does not close the chapter of the democracy movement of the Chinese People but rather left his valuable legacy *Charter 08* which will serve as the light-house providing the direction for the Chinese People in their continued struggle until they are truly liberated from political oppression”, this collection of essays, *Dissent, Political Freedom, Civil Liberties and the Struggle for Democracy: Essays in Honour of Liu Xiaobo*, represents a tribute to a most noble soul, a true lover of his country who cared about democratic rights of the country’s vast population who he hoped one day would be able to fully enjoy political freedom and civil liberties. His deeds and sacrifices truly put to shame those supporters and apologists, not only in China but also among the overseas Chinese, of the present one-party dictatorship that shamelessly resorts to twisting the notions of freedom, democracy and

Table 1 The Politics of Patriotism (Joel Westheimer, 2006)

	Authoritarian Patriotism	Democratic Patriotism
Ideology	<p>Belief that one's country is inherently superior to others.</p> <p>Primary allegiance to land, birthright, legal citizenship, and government's cause.</p> <p>Nonquestioning loyalty.</p> <p>Follow leaders reflexively, support them unconditionally.</p> <p>Blind to shortcomings and social discord within nation.</p> <p>Conformist; dissent seen as dangerous and destabilising.</p>	<p>Belief that a nation's ideals are worthy of admiration and respect.</p> <p>Primary allegiance to set of principles that underlie democracy.</p> <p>Questioning, critical, deliberative.</p> <p>Care for the people of society based on particular principles (e.g., liberty, justice).</p> <p>Outspoken in condemnation of shortcomings, especially within nation.</p> <p>Respectful, even encouraging, of dissent.</p>
Slogans	<p>My country, right or wrong.</p> <p>America: love it or leave it.</p>	<p>Dissent is patriotic.</p> <p>You have the right to NOT remain silent.</p>
Historical Example	McCarthy Era House Un-American Activities Committee (HUAC) proceedings, which reinforced the idea that dissenting views are anti-American and unpatriotic.	The fiercely patriotic testimony of Paul Robeson, Pete Seeger, and others before HUAC, admonishing the committee for straying from American principles of democracy and justice.
Contemporary Example	Equating opposition to the war in Iraq with "hatred" of America or support for terrorism.	Reinforcing American principles of equality, justice, tolerance, and civil liberties, especially during national times of crisis.

Source: Westheimer (2006: 610).

human rights to suppress dissent and criticisms and to perpetuate its power monopoly. Who is the real patriot? “Dissent is patriotic” (see Table 1) is a principle of democratic patriotism as in Westheimer’s formulation, being opposed to authoritarian patriotism’s demanding allegiance to the government’s cause and therefore opposing dissent, and this concept harkens back to the quotation “dissent is the highest form of patriotism”. This is often attributed to Thomas Jefferson, though no evidence has been found according to Anna Berkes in her *Thomas Jefferson encyclopedia* entry of “Dissent is the highest form of patriotism (Quotation)” that found the earliest usage of the phrase, which was used repeatedly during the Vietnam-War era, in a 1961 publication, *The use of force in international affairs*²: “If what your country is doing seems to you practically and morally wrong, is dissent the highest form of patriotism?”³

Unwillingness on the part of Beijing to take into consideration such inner feeling of the conscientious Mainland China citizens, the socio-psychological makeup of the Hong Kong people as the legacy of long British rule and the Taiwanese who have fought hard and shed blood to gain today’s political freedom and civil liberties thus spells the failure of its “soft power” offensive to win the hearts and minds of the people. Anybody who would refuse to buy the State’s line just to play safe and who would not want to lie to their own conscience and debase their dignity as human as demanded by the Party-State would recognize the plain truth in these lines that Salman Rushdie, the thirteenth on *The Times*’s 2008 list of the fifty greatest British writers since 1945 and the literary world’s most well-known fugitive from dogmatic terror, reiterates in *Joseph Anton*, “We have the freedoms we fight for, and we lose those we don’t defend.” (Rushdie, 2012, ppb 2013: 528) The right to dissent as the highest form of patriotism is something the

conscientious Mainland citizens, the Hong Kongers and the Taiwanese have learned through hard lessons, through blood and sweat, and that marks their democratic patriotism apart from the authoritarian patriotism promoted by the ruling CCP Party-State in Beijing that sees political dissent as highly dangerous and destabilising and persecution of dissidents, even to death in cases such as Cao Shunli, Li Wangyang, Yang Tianshui and Liu Xiaobo, as justifiable in the name of maintaining stability and prosperity.

While early in the germination period of classical Chinese philosophy two and a half millennia ago the founder of contemplative Taoism (道家), Lao Tzu⁴, had already commented, “民不畏死，奈何以死懼之？” [The people do not fear at all to die; / What's gained therefore by threat'ning them with death?] (*Tao Te Ching* / 《道德經》, Chapter 74), who would have foreseen the death-defying action of the supposedly docile subjects conditioned by more than 3 decades of personality-shattering brutal political campaigns of the Chinese Communist Party (CCP) during the 3 months of June 1989 in Beijing, or the incredible political awareness of the Hong Kong people during the momentous Occupy Campaign a.k.a. Umbrella Movement of 2014? In both cases, such actions by a long-considered politically docile (in Mainland China) or apathetic (in Hong Kong) people can be seen as a “civil society in self-defense” as described by Professor Ma Ngok (馬嶽) of the Chinese University of Hong Kong.⁵ Such action, of course, demands a high level of human dignity and integrity, which the CCP Party-State has been relentless in destroying with both carrots (economic miracle, financial prosperity for conformists) and sticks (brutal persecution of dissidents), that Ian Johnson sees in the personality of Liu Xiaobo:

When the 1989 protests erupted, Liu was abroad but chose to return. After one stint in jail after the Tiananmen protests were bloodily suppressed, he had opportunities to leave China but again chose to stay. And then after a second harsher stint in jail he again decided to remain and keep pushing. He was risking [unlike Tan Sitong] not the immediate arrival of soldiers, but the inevitable and life-threatening imprisonment that befalls all people who challenge state power in China today.

This was not an active decision to die, but a willingness to do so.

(Johnson, 2018)

Confucius once said, “The determined scholar and the man of virtue will not seek to live at the expense of injuring their virtue. They will even sacrifice their lives to preserve their virtue complete.”⁶ (《論語》衛靈公第十五：“子曰：「志士仁人，無求生以害仁，有殺身以成仁。」”) Liu Xiaobo’s self-sacrificing sense of mission and character of unbending human dignity represent the virtue of a true Confucian gentleman. This of course would pose a grave threat to a Party-State which ironically has been shamelessly exploiting the name of Confucius for its United Front work through the “Confucius Institutes”.

While the Chinese writer Mo Yan (莫言, meaning “don’t speak”, *nom de plume* of Guan Moye / 管謨業), also vice-chairman of the Communist Party-backed, State-run Chinese Writers’ Association, who was awarded the Nobel Prize in Literature of 2012 was heavily criticised by many Chinese dissident writers and artists for a complete lack of solidarity with and support for other Chinese writers and intellectuals who were punished or detained by the CCP regime for exercising their rights of free expression, it is probably too easy for people not living under the boot of this ruthless authoritarian regime to heap harsh criticisms on those intellectuals who have chosen to censor themselves

and work with their overlord, as Perry Link concludes his article “Does this writer deserve the Prize?” in *The New York Review of Books* (6th December 2012):

Chinese writers today, whether “inside the system” or not, all must choose how they will relate to their country’s authoritarian government. This inevitably involves calculations, trade-offs, and the playing of cards in various ways. Liu Xiaobo’s choices have been highly unusual. Mo Yan’s responses are more “normal,” closer to the center of a bell curve. It would be wrong for spectators like you and me, who enjoy the comfort of distance, to demand that Mo Yan risk all and be another Liu Xiaobo. But it would be even more wrong to mistake the clear difference between the two.

Mo Yan himself put it bluntly, “A lot of people are now saying about me, ‘Mo Yan is a state writer.’ It’s true, insofar as like the authors Yu Hua [余華] and Su Tong [蘇童], I get a salary from the Ministry of Culture, and get my social and health insurance from them too. That’s the reality in China. Overseas, people all have their own insurance, but without a position, I can’t afford to get sick in China.”⁷ As Salman Rushdie said in an interview by writer Salil Tripathi (2008: 27), “Defending free speech in absolute terms may take us into a turbulent, hurtful arena. If we say nothing, we will have peace. But it is the peace of suppression, and that’s the choice we have to make.” It is also a choice of safety via ignorance and selective amnesia. Some, like Mo Yan and myriad others, have chosen this peace of suppression, while some rare breed like Liu Xiaobo or Ilham Tohti and other dissidents past and present have made an unusual choice and opted for personal turbulence in defending their rights and dignity as writers, academics, citizens and those of their fellow citizens.

Ian Johnson said: “Like Tan [Sitong], Liu [Xiaobo] knew his responsibility in history.” While “Tan saw China plagued by a cycle of karmic evil that had to be broken”, Liu knew “his role as a public intellectual was to see the future and report back, whatever the costs”, and yes, whatever the costs, as Liu wrote in 1988 (〈論孤獨〉 [on solitude]) just before his return to China in 1989 that would change the subsequent path of his life unrevocably:

Their most important, indeed their sole destiny ... is to enunciate thoughts that are ahead of their time. The vision of the intellectual must stretch beyond the range of accepted ideas and concepts of order; he must be adventurous, a lonely forerunner; only after he has moved on far ahead do others discover his worth ... he can discern the portents of disaster at a time of prosperity, and in his self-confidence experience the approaching obliteration.⁸

Patrick Kar-wai Poon, in his article “Liu Xiaobo and ‘Charter 08’ – Freedom of Expression and Cultural Relativism” here that sets out to debunk the CCP regime and its apologists’ use of cultural relativism to try to discredit the universal values of human rights and liberal democracy as being alien to China rightly points out exactly such vision of the intellectual in Liu Xiaobo and others who drafted *Charter 08* as they went against the Party-State and its intellectual lackeys and apologists to firmly believe that these values are compatible with Chinese culture and can be incorporated into Chinese culture, and these beliefs “actually are not new in China [with] people in Qing Dynasty like Kang Youwei and Liang Qichao and intellectuals and writers during the Nationalist era like Lu Xun and Hu Shi [having] also expressed their aspiration for these universal values.” Of course, as Perry Link said

above, China's intellectuals today whether "inside the system" or outside "all must choose how they will relate to their country's authoritarian government" and it would probably not be fair for people who enjoy the comfort and safety of distance to demand that people like Mo Yan risk all and be another Liu Xiaobo. Everyone, facing different circumstances and with different socio-psychological makeup, ultimately has their own line to draw in the sand. It is a very personal choice and Liu Xiaobo knew that, as he said in an interview by the Hong Kong magazine *Emancipation Monthly* (解放月報) in November 1988:

There should be room for my extremism; I certainly don't demand of others that they be like me ...

I'm pessimistic about mankind in general, but my pessimism does not allow for escape. Even though I might be faced with nothing but a series of tragedies, I will still struggle, still show my opposition. This is why I like Nietzsche and dislike Schopenhauer.⁹

The road in front for intellectuals and all conscientious citizens who have chosen this path remains torturous. As Joseph Yu-shek Cheng in his article "The Policy Programme and Human Rights Position of the Xi Jinping Administration" in this special focus issue cautions that as the CCP regime to a considerable extent has been able to maintain its performance-based legitimacy through economic growth, a basic social security net covering the entire population and effective governance, and the Xi Jinping administration's performance on provision of public and social services, combat of corruption and enhancing of China's international status and influence have been popular among the people, it is unlikely that an Arab Spring kind of situation would emerge in China soon to precipitate political change and inevitable democratisation, and while the civil society is still developing under increasingly difficult

conditions, it is in no position to confront the single-Party regime so soon. Cheng's prognosis has important implications not only for the dire human rights situation in the densely Han Chinese-population regions of Mainland China but also the post-1997/1999-Handover regions of Hong Kong and Macau as well as its volatile non-Han ethnic frontier regions, which form the foci of several articles in this special focus issue.

Regarding implications of Mainland China CCP regime's politically repressive policies for these regions, Liu Xiaobo wrote in 2005:

While the separation of Hong Kong and Taiwan from Mainland China during the decline of the Ch'ing Empire represented a product of the era of colonisation filled with humiliation by foreigners, within the overall progress of world civilisation, it also led to these two regions attaining freedom and prosperity [away from the repressive empire on the Mainland] bestowed by modern civilisation. In sharp contrast [...] the [Mainland] Chinese after being freed from the torment by colonial powers, instead of attaining liberation and freedom, have since been subjected to even more comprehensive and more brutal totalitarian subjugation [...] While the Chinese Communist Party's dictatorial government has undergone an unequivocal great leap in its hi-tech operation, its political system and mode of governance still remain in the medieval era, hitherto having not given up the medieval myth of a greater empire-building. Internally, towards minority nationalities, it denies them freedom of autonomy. Externally, towards Taiwan, it rejects making a promise of not using military force for unification; towards Hong Kong, it resorts to dictatorial coercive means of intervention in Hong Kong's "One Country, Two System" autonomous governance, resulting in insurmountable barriers to Hong Kong's political democratisation.¹⁰

The dismal outlook of Hong Kong's political future under the increasing tightening of political space by her Beijing overlord since the 1997 British Handover, especially after the tumultuous Occupy Campaign / Umbrella Movement, through the unprecedentedly violent "Fishball Revolution" State-civil society conflict, NPCSC's various "interpretations" of the Basic Law and disqualifying of LegCo members from the pro-democracy camp, harsh sentencing of organisers of civil disobedience, to repeated and bolder and bolder encroachment of Beijing into Hong Kong affairs (including kidnapping of Hong Kong booksellers) that make a mockery of the so-called "One Country, Two Systems" are the subject of enquiry of Benny Yiu-ting Tai's article "Hong Kong No More: From Semi-democracy to Semi-authoritarianism" and that of Chris Yeung, "Human rights in Hong Kong: One Country looms as Two Systems Fade", while Łukasz Zamecki in his paper "Hong Kong Youth Radicalization from the Perspective of Relative Deprivation" looks at the influence of "relative deprivation", political, economic and cultural, amongst Hong Kong youth on Hong Kong politics. The thesis of Zamecki's paper is that the political radicalisation of youth, e.g. more violent protests, the growth of nativist and localist organisations and the flourishing idea of self-determination of Hong Kong, could have resulted from relative deprivation. The case of the other "Special Administrative Region" since the 1999 Portuguese Handover is the subject of enquiry of Jinhyeok Jang's article "Parliamentary Representation in the Macau Special Administrative Region: A Quantitative Analysis of Roll Call Voting Behavior in the 5th Legislative Assembly, 2013-2017" that assesses the nature of parliamentary representation in Macau (Macao) through an extensive roll call voting analysis for the 5th term Legislative Assembly from 2013 through 2017 and evaluates the relative dominance of politics

in Macau which unlike Hong Kong, employs a single nationwide electoral district, between the pro-Beijing government and pro-democracy opposition legislators.

In a quite different regional setting, out there in China's volatile ethnic frontier region of Xinjiang, Beijing is often seen to be in a "Catch 22" no-win situation due to the dilemma that granting greater autonomy will probably not be responded with much appreciation as a result of long-term mistrust and hatred generated by decades of CCP brutal misrule but rather more demands for political and ethnic autonomy or even independence, in "a terrible paradox the Chinese have created for themselves" (Starr, 2004) where there is no guarantee that raising the Uyghurs' level of education and socioeconomic status will take the edge off the desire of the Uyghurs to seek independence (Ji Ping, 1990: 200). To further understanding of Beijing's authoritarian reach in this region under this condition, Roy Anthony Rogers in his article "The Radicalisation of Xinjiang: Its Roots and Impact on Human Rights" analyses the human rights conditions in Xinjiang, as well as the internal and external factors that have influenced Beijing's policies on the human rights conditions in the region, and looks into the policy changes and the factors that have caused these changes. Ultimately, whether it be Hong Kong, Macau, Xinjiang, Tibet or Taiwan, as Liu Xiaobo said,

One of the important principles underlying the post-WWII modern civilisation is the self-determination of a region's inhabitants. Under this principle, the achievement of any unification to resolve conflict is not determined by military coercion by a powerful party, but by the voluntary choice of the minority groups [...] If unification could imply coercion and subjugation, there might as well be no unification.¹¹

In the case of Xinjiang, it also cannot be denied that the religious dimension has always been tricky for the Beijing overlord. From Cultural Revolution era's humiliation of Uyghurs' Islamic faith to the recent *The Wall Street Journal's* report on accusations by Uyghurs who had been in Xinjiang's massive "re-education" camps of being forced to denounce their religious faith, being forbidden from all their religious practices and being brainwashed to extol the CCP regime and Xi Jinping.¹² Nevertheless, Xinjiang's Uyghurs are not the only target of CCP's religious persecution, as Beatrice Leung points out in her article "Xi Jinping's Religious Freedom Policy vs Human Rights". While CCP's degree of suppression on religious freedom has fluctuated according to the political climate, being unpredictable but according to the wish of the political leaders, according to Leung, under the Xi Jinping administration religious security has been uplifted to the level of national security, with religion asked to serve the needs of the Party and to be managed with even stricter rules and regulations, in a rigid policy line that virtually exerts a degree of religious control that harkens back to the Mao Zedong era aiming at the immediate extinction of religions, in which human rights including religious rights have to give in to the fulfilment of Xi Jinping's so-called "China Dream".

Are Xi Jinping's oft-repeated expression of admiration for Mao, combination of his grandeur "Belt and Road Initiative" and "China Dream" with intensification of brutal suppression of dissent with his "rule by law", the massive re-education camps that have emerged and are expanding in Xinjiang and CCP regime's embrace of big data to plan for a nationwide watertight surveillance scheme and social credit system of rewards for social conformists and punishments for "social misfits" as analysed in Emile Kok-Kheng Yeoh's postscript "*Brave New World Meets Nineteen Eighty-four* in a New Golden Age: On the Passing of Liu Xiaobo, Advent of Big Data, and Resurgence of China as World Power"

foreboding of China's reattaining its global glory enjoyed during the Yung-le or K'ang-Ch'ien eras of prosperity of the Ming and Ch'ing dynasties? As the Yung-le and K'ang-Ch'ien eras of prosperity in fact represent not only times of China's zenith in international stature and economic development but also peaks in China's domestic brutal political oppression, is Xi's "China Dream" also reverting China back to a Maoist totalitarian era, albeit this time sugar-coated with economic prosperity, military pride, and more mesmerising nationalistic fervour? It is thus enlightening for us to take a glimpse at China's only remaining old-style totalitarian neighbor in East Asia and in many ways her client state of North Korea, as explored in Soyoung Kwon's article "Post-Communist Transition Revisited: The North Korean Regime in a Comparative Authoritarian Perspective", that is arguably still resiliently totalitarian, a living protest against William Dobson general observation that today's authoritarian dictators, as in China, "understand that in a globalized world the more brutal forms of intimidation – mass arrests, firing squads, and violent crackdowns – are best replaced with more subtle forms of coercion" (Dobson, 2012, ppb 2013: 5) like deploying tax collectors or health inspectors to shut down dissident groups or using broadly written laws to send dissidents into life-threatening imprisonment from which they would come out later physically and psychologically broken or not come out alive at all.

Before ending this foreword, we would like to thank all the contributing authors of the articles in this issue and the anonymous reviewers of these articles for their invaluable efforts in making the publication of this July/August 2018 CCPS focus issue of *Dissent, Political Freedom, Civil Liberties and the Struggle for Democracy: Essays in Honour of Liu Xiaobo* possible. We are deeply grateful to Joseph Yu-shek Cheng for his great support in the organising of this volume, without whose help the publication of this worthy issue on the

legacy of the late Liu Xiaobo at the first anniversary of his passing would not have been possible. Two of the articles in this collection (on Macau and North Korea) represent revised version of the authors' papers originally presented at the 2017 Sizihwan International Conference on Asia-Pacific Studies, "Challenges to Local Politics in the Asia-Pacific Region", at the National Sun Yat-sen University, Taiwan, 30 November - 2 December 2017, duly revised by incorporating critical peer feedback received at the conference and from other reviewers. To the authors, "감사합니다" (*kamsa hamnida*), for allowing us to include their revised papers in this journal issue. We are also grateful to Miss Wu Chien-yi (吳千宜) for the journal's website construction and maintenance. The responsibility for any errors and inadequacies that remain is of course fully mine.

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Notes

1. T'an Ssu-t'ung (譚嗣同), executed in 1898 at the age of 33, occupies a place of tremendous importance in contemporary China's history as his execution symbolised the political failure of an autocratic regime to reform its governance from within itself, to modernise the country and to

- democratise the polity, and turned the intelligentsia to seek violent and hostile means, through revolution, to overthrow the ancien regime.
2. Working Party on the Use of Force in International Affairs (1961). *The use of force in international affairs*. Philadelphia, Pa.: Friends Peace Committee, p. 6.
3. “Dissent is the highest form of patriotism” (by Anna Berkes), *Thomas Jefferson’s Monticello*, 20th May 2008 <<https://www.monticello.org/site/blog-and-community/posts/dissent-highest-form-patriotism>>; <<https://www.monticello.org/site/jefferson/dissent-highest-form-patriotism-spurious-quotation>>.
4. Laocius (Lao Tzu, 老子, c. 571-471 BC) was a 6th-Century BC contemporary of Confucius (K’ung Tzu, 孔子, 551-479 BC), though some modern historians consider him to have lived during the Warring States period of the 4th Century BC.
5. See: Richard Bush (2016). *Hong Kong in the shadow of China: Living with the Leviathan* (Chapter 4, “Hong Kong’s liberal oligarchy”).
6. *The Analects of Confucius*, translated by James Legge (web edition published by eBooks@Adelaide, University of Adelaide, Australia; last updated 17th December 2014). <<https://ebooks.adelaide.edu.au/c/confucius/c748a/complete.html#book15>>
7. “The Writer, the State and the Nobel” (by Didi Kirsten Tatlow), *The New York Times*, 12th October 2012. <<http://rendezvous.blogs.nyti.com/2012/10/12/the-writer-the-state-and-the-nobel/>>
8. For this translation, see Johnson (2018).
9. 〈文壇 ‘黑馬’ 劉曉波〉 [Liu Xiaobo, “black horse” of the literary world], 《解放月報》 (*Emancipation* monthly), 1988:12, pp. 62, 64. For this translation, see Barmé (1990).
10. Liu, 2005, see Liu, 2010, pp. 253-254 (my translation).
11. Liu, 2005, see Liu, 2010, pp. 253-254 (my translation).

12. “中國鐵腕統治 新疆維吾爾再教育營慘況曝光” [China rules with an iron fist, dire condition of Xinjiang’s Uighur re-education camps exposed], 中央通訊社 (Central News Agency / CAN, Taiwan), 19th August 2018. <<http://www.cna.com.tw/news/firstnews/201808190008-1.aspx>>

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“マレーシア —— 親中心理を支える構造” [Malaysia: the fundamental structure of pro-China sentiment]” (book chapter, University of Tokyo Press, 2018), “Malaysia-Taiwan Relations and Taiwan’s New Southbound Policy” (article, *Malaysian Journal of International Relations*, 2018, cs), *Hong Kong twenty years after the Handover: Quo vadis?* (edited *Focus* issue, CCPS, 2017, 477 pp. + xv), *From Handover to Occupy Campaign: Democracy, identity and the Umbrella Movement of Hong Kong* (edited *Focus* issue, CCPS, 2016, 350 pp. + xviii), “Nationalism, historical consciousness and regional stability: Rising China as a regional power and its new assertiveness in the South China Sea” (book chapter, Palgrave Macmillan, 2014), “中國 — 東南亞關係：中國能源安全政策的區域安全戰略分析” [China-ASEAN relations: analysis on regional security strategy of China’s energy security policy] (book chapter, Wu-Nan, 2014), “Poverty reduction, welfare provision and social security challenges in China in the context of fiscal reform and the 12th Five-Year Plan” (book chapter, Routledge, 2014), *China – State, public policy and society* (guest edited special issue, *The Copenhagen Journal of Asian Studies*, 2014, 140 pp.), *June Fourth at 25: The quarter-century legacy of Tiananmen* (edited special issue, *IJCS*, 2014, 367 pp. + xv), *Taiwan: Democracy, cross-Strait relations and regional security* (edited *Focus* issue, *IJCS*, 2014, 195 pp. + x), “Evolving agencies amid rapid social change: Political leadership and State-civil society relations in China” (book chapter, Palgrave Macmillan, 2013) and *China: Developmental model, State-civil societal interplay and foreign relations* (edited monograph, 745 pp. + xxi, ICS, 2013). His latest research projects include the Equitable Society Research Cluster UMRG Programme on Public Administration and Governance (2016-2018, principal investigator), Malaysian Ministry of Higher Education/University of Malaya High-Impact Research (HIR) Grant project “The China Model: Implications of the contemporary rise of China” (2013-2016, principal investigator) at the Department of Administrative Studies and Politics,

Faculty of Economics and Administration, University of Malaya, and Suntory Foundation / University of Tokyo international research grant project “Beyond ‘China threat theory’: Dialogue with China experts on the rise of China” (2014-2015, Malaysian component). <Website: <http://emileyeo5.wix.com/emileyeoh>; email: emileyeo@gmail.com, yeohkk@um.edu.my>

References

- Barmé, Geremie (1990). Confession, redemption, and death: Liu Xiaobo and the protest movement of 1989. In: George Hicks (ed.), *The broken mirror: China after Tiananmen*. Chicago: St. James Press, c1990. <<http://www.chinaheritagequarterly.org/017/features/ConfessionRedemptionDeath.pdf>>
- Bush, Richard C. (2016). *Hong Kong in the shadow of China: Living with the Leviathan*. Washington, D.C.: Brookings Institution Press.
- Dobson, William J. (2012). *The dictator's learning curve: Inside the global battle for democracy*. New York: Doubleday (paperback edition published by Anchor Books, New York, 2013).
- Ji Ping (1990). Frontier migration and ethnic assimilation: A case of Xinjiang Uygur Autonomous Region of China. (Unpublished doctoral thesis, Brown University, Rhode Island.)
- Johnson, Ian (2018). ‘Liu knew his responsibility in history’: A eulogy for Liu Xiaobo. *ChinaFile* (New York: Center on U.S.-China Relations at Asia Society), 13th July 2018. <<http://www.chinafile.com/reporting-opinion/vi ewpoint/eulogy-liu-xiaobo>>
- Link, Perry (2012). Does this writer deserve the Prize? *The New York Review of Books*, 6th December 2012. <<http://www.nybooks.com/articles/2012/12/06/mo-yan-nobel-prize/?pagination=false&printpage=true>>
- Liu Xiaobo (20th December 2005). 如果統一就是奴役 [if unification is subjugation]. In: Liu Xiaobo (劉曉波) (2011). 追尋自由——劉曉波文

- 選 (*Strive for freedom: Selected writings of Liu Xiaobo*), with an introduction by Yu Ying-shih (余英時). Washington, D.C.: The Laogai Research Foundation (勞改基金會), pp. 251 -259.
- Rushdie, Salman (2012). *Joseph Anton: A memoir*. New York: Random House (Random House Trade Paperback Edition, 2013).
- Starr, S. Frederick (ed.) (2004). *Xinjiang: China's Muslim borderland*. Armonk, NY: M.E. Sharpe.
- Tripathi, Salil (2008). To tell and listen: Salman Rushdie. *Far Eastern Economic Review*, Vol. 171, No. 4, May 2008, pp. 24-27.
- Westheimer, Joel (2006). Politics and patriotism in education. *Phi Delta Kappan magazine*, April 2006. Arlington, VA: Phi Delta Kappa International, pp. 608-620.
- Wood, Alan Thomas (1995). *Limits to autocracy: From Sung neo-Confucianism to a doctrine of political rights*. Honolulu: University of Hawai'i Press.

Introductory Commentary

Liu Xiaobo as the Spiritual Rival of Xi Jinping

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At the time when Liu Xiaobo (劉曉波) organized the drafting, signing and eventual promulgation of *Charter 08*, he was hopeful that it would bring new impetus to the movement for the realization of democracy and the rule of peaceful law as the national goal for political development in China. He chose the timing for publishing the Charter on the 60th Anniversary of the *Universal Declaration of Human Rights* (UDHR) and also the date in remembrance of the tenth anniversary of the signing of the *International Covenant on Civil and Political Rights* (ICCPR).

Although there was not much room for optimism that *Charter 08* will be embraced by the ruling Party, Liu did not appear to be apprehensive of an imminent risk to his personal freedom and security. After all the main spirit manifested in the *Charter 08* was largely echoed by what former premier Wen Jiabao (溫家寶) said in his interview with the CNN in September 2008 concerning “universal value”, “democracy”, “freedom and equality” and “independent judiciary”. As a matter of fact, Liu Xiaobo subsequently told his wife Liu Xia (劉霞) that he did not anticipate the promulgation of *Charter 08* would lead to such a drastic consequence that eventually he had to serve a heavy jail sentence of 11 years for “subverting the State power”.

In the Year 2008

Looking back to 2008, it was the year when China successfully hosted the Olympic Games and won impressive results. It was also the year when the Western world was shaken by the financial tsunami and China managed to maintain financial stability although an enormous amount of money (RMB4000 billion) was injected into the capital market. While China had the reason to pride herself as a formidable power, the government had in the same year brutally suppressed an uprising in Tibet and many Tibetans were killed. What was more significant, as observed by American scholar David Shambaugh in his 2016 book *China's future*, it was the year when Xi Jinping (习近平) became the Deputy President of the State and appointed as the successor to Hu Jintao (胡锦涛) as the General Secretary of the Communist Party of China. Thereafter, the Party had become more and more autocratic putting in place more stringent policies of control over the country. The warning directive of Deng Xiaoping (邓小平) after the Tiananmen Massacre that “to nip all chaos at the budding stage” appeared to be vigorously and fully taken on board. Liu Xiaobo’s *Charter 08*, no matter how moderate it was tuned, was obviously taken as a challenge to the supreme authority of the Party and the legitimacy of the Communist Party’s Rule in China.

The prompt arrest and imprisonment of Liu Xiaobo, in contrast with the rather lenient treatment of the other co-signers of *Charter 08*, showed that the Communist leaders intended to “kill the chicken in order to scare the monkeys” (殺雞儆猴). The subsequent award of the Nobel Peace Prize to Liu Xiaobo in 2010 further aggravated the situation, as Liu’s wife Liu Xia was immediately put under house arrest and was only released almost one year after Liu’s death.

At the time after the Tiananmen Massacre in 1989, the Western countries reached a consensus not to isolate such a big country like China for long, but to maintain a critical engagement with her for the purpose of securing peaceful co-existence. Subsequently, the mainstream thinking of the Western powers was to allow China to be integrated into the global economy by accession to the World Trade Organization. It was their shared belief and expectation that when China sustained her economic growth and became more economically developed, there will be the rise of a middle class and establishment of a more mature legal system, and consequently, the country would more probably undergo political transformation with the gradual introduction of popular election leading to the process of democratization, as what had gone through about a century ago in the Western World.

After the Rise of Xi into Power

To the disappointment of many liberal thinkers, the Western route of modernization followed by democratization has not taken place in China. The process of political development was almost stagnant during the Hu-Wen reign of ruling. After taking up the role of the new supreme leader of the Communist Party in 2012, Xi on the one hand started to massively purge the corrupted party cadres to establish his political legitimacy. But on the other hand, he vigorously took steps to steer the country to move along the path to become a more autocratic dictatorship.

In May 2013, the Central Propaganda Department of the Party issued an internal directive to all local party committees restricting and banning discussion within universities and by media of seven topics deemed to be of “dangerous Western influences”, namely, universal values, freedom of speech, civil society, civil rights, the historical errors of the Communist Party, crony capitalism and judicial independence.

In the issue of *People's Daily* dated 5th August 2012, the Party under Xi declared the five new categories of bad people who would destabilize the country and should be subject to control and repression, namely, human rights lawyers, underground churches, political dissidents, Internet opinion leaders and underprivileged groups.

During his first five years' rule, Xi's regime successively implemented various schemes of legislative and administrative measures to tighten up the Party's control over the whole country. Control over Internet operators and foreign NGOs by way of strict registration requirement were imposed. In 2017, the regulators moved aggressively to curtail the use of Internet by 750 million netizens by imposing new restrictions while having shut down "Facebook" and "Google". The crackdown was extended to video-streaming websites, virtual private networks (VPNs): foreign TV shows from online platforms. Internet users are required to register their real names; laws will be introduced to hold chat group administrators accountable for what are chatted; new rules will be in place to require online news websites to be vetted by government-appointed editorial staff.

The institutionalization of control of lawyers was also exemplified when the Ministry of Justice announced in March 2017 new measures to evaluate lawyers' professional standards based on their "political performance". Under the scheme, lawyers would have to meet four criteria to be listed: the top one being political correctness, followed by record of "integrity", length of experience and professional skills. The political performance assessment includes supporting the Communist Party's leadership and "socialist rule of law" and the integrity criterion would require applicants to have a clean record on party discipline, administrative penalties (such as detention, revocation/suspension of one's licence), industrial discipline and credit-related punishment in the past five years. On top of two sets of revised rules, the Measures on the

Administration of Lawyers' Practice and the Measures for the Administration of Law Firms launched in November 2016 designed to silence lawyers critical of the authorities, rights lawyers believe this new move would further marginalize them and those who seek to challenge unfair judicial practices.

However when the human rights lawyers remained defiant and continued to strive to fight for justice for the underprivileged and oppressed, the Party even applied the State machinery to attack the legal community ruthlessly and indiscriminately.

709 Crackdown on Lawyers in 2015

On 9th July 2015, there was a nationwide crackdown on human rights lawyers resulting in the arrest and detention of over 300 lawyers on one day. Many of the detained lawyers were detained incommunicado and subjected to torture and inhuman or degrading treatment and some of their family members were intimidated and harassed. As a consequence, many human rights lawyers were forced to confess their “guilt” before reporters and televisions in controlled environment, before they even had the opportunities of seeing their family members or lawyers. Moreover, one particular law firm Fengrui (鋒銳) was targeted as some of the source of the turmoil – all its lawyers were charged with the crime “subverting the State power” and the senior members were put into jail. One leading lawyer of the firm Wang Quanzhang (王全璋), who has been arrested on 709, remains “disappeared” and his family members having courageously made public appeal to rescue him, were unsuccessful even in having a chance to see him. Up to this date, after over 1000 days of forced disappearance, no one is able to say whether Wang is still alive.

The monopoly over the use and deployment of force together with the application of oppressive laws are only one dimension of the

Orwellian situation in China. The Party has apparently felt so scared of its dissenters that an elaborate network of volunteer informants were built up, such that at every moment and in every corner of the society, anyone may be watched by his neighbours, or any stranger passing up, who are in fact active informants exercising surveillance over others to protect the interest of the Party and the State. In recent months, many university lecturers and school teachers were disciplined, suspended or even dismissed for making even casual remarks in class critical of the Party or its leaders, when the student informants promptly reported the matter back to the Party.

The use of advanced technology also strengthens the effectiveness of the Party's surveillance and control power over the people by penetrating into the society as a whole. The installation of millions of CCTV cameras together with the application of digital facial recognition enables the police to search and/or arrest anyone throughout the country within hours. The building up of databases and the analysis of big data constitute a powerful system of control virtually over each individual.

A planning outline for the construction of a social credit system 2014-2020 was issued by the State Council, with the objective that eventually each citizen will be given a social integrity rating according to a credit score. The system was allegedly for the purpose of restoring trust in the commercial market, but obviously it could be and has already been applied against individuals for control of their conduct and behavior. There have been reports that problematic individuals given low credit rating suffer from the following treatments, namely: unable to obtain issuance of passport for travelling or even to purchase a high-speed railway ticket, the cancellation of household registration such that the individual has to go back to his original native county or village otherwise he will lose his job opportunity and his children have difficulty of getting into school.

The New Era when the Supreme Leader Has No Limit on His Term and Power

The systematic and embracing control of the people is exercised by the Party with the use of a formidable status apparatus for the purpose of preserving political stability. The process of concentrating the power of the State in the Party-State, led by one supreme leader enjoying unchecked power with unlimited term of office and commanding personal worship of the people, has signified the completion of the process – namely, the rise of a new totalitarian regime in China. This is in fact what Xi has sought to achieve when he took up the second term of the Party leadership at the commencement of the 19th National Congress of the Communist Party of China in 2017 by declaring that China has entered Xi Jinping’s New Era of Socialism with Chinese Characteristics”.

The ideology and thought in Xi’s New Era are blatantly and entirely contradictory to the philosophy and spirit manifested in *Charter 08* and therefore the New Era has conceivably sealed the fate of Liu Xiaobo who eventually ended up his life in prison in July 2017, the same year when the New Era was pronounced.

Xi v. Liu as Spiritual Leader

Liu’s *Charter 08* expressed an embodiment of an ideal of democracy, human rights, rule of law, constitutionalism and republicanism and is widely supported by not only the intellectuals but obviously by many educated people across different strata of the community within and outside China. In view of the challenge of *Charter 08*, the paramount question to Xi Jinping is: What is the philosophical basis which provides for the political legitimacy of Xi’s New Era of individual dictatorship and totalitarianism?

To answer the question, a comparison between the basic and fundamental difference between the thoughts of the two “philosophical” and “spiritual leaders” – Liu Xiaobo and Xi Jinping will be illuminating.

Firstly, Liu always has hopes in the people and the civil society. He believes the people are the sovereign of the nation. His philosophy is based on people’s rights and has universal appeal. Xi distrusts the people and upholds himself as the absolute supreme leader and embodiment of the sovereign of the nation. It only appeals to narrow-minded nationalists and lacks universal and intellectual appeal.

Secondly, Liu who had been victimized by the Party so much and for so long still says in his last testament that “I have no enemies, I have no hatred”, “I hope therefore to be able to transcend vicissitudes ... to counter the hostility of the regime with the best of intentions and dispel hatred with love”. Xi on the other hand has preyed on the fear of the people and suppressed with brutality those who did not obey him or found not loyal to him. By branding the five new categories of bad elements, he is in fact ruling by fear and hatred.

Thirdly, Liu’s philosophical thought is based on universal values manifested in the *Universal Declaration of Human Rights* and ICCPR and the belief that the Chinese Constitution should be framed and interpreted to conform to and uphold these values. Upon an analytic examination of Xi’s socialistic thinking with Chinese Characteristic, it is found in substances to be a mixed composition of Leninist Party-Statism, Deng Xiaoping’s State capitalism plus traditional Chinese feudalistic familyism (i.e. People should be loyal to the State as a big Family and respect the Ruler as their Father).

Fourthly, Liu has deep concern that in China, “there are laws, but there is no rule of law; there is a constitution but no constitutional government”. He is always mindful of the paramount importance of

constraining public power and subjecting it to the Rule of Law for the protection of the rights and welfare of individuals. Under Xi, the laws and constitution are only to empower him to rule as supreme dictator, not to create any constraint on his power. Such thinking is in conformity with Mao's view that the law is no more than an instrument of oppression of the class enemies used by the ruling class under the leadership of the Party and ultimately him as the Supreme Leader. Xi's style of ruling is to de-institutionalize the legal system such that any problem could be solved or tackled by completely arbitrary power, with utmost efficiency and effectiveness.

Fifthly, Xi no doubt sets the national goal in his China Dream in seeing the rejuvenation and uprising of China as a prosperous and powerful nation in the world. But in this dream only his personal leadership, his Communist Party and his government governing the country in an Orwellian style will constitute the collectivistic power of a great formidable nation.

Whereas in the mind of Liu, he is deeply concerned with the sufferings of the people under pervasive poverty and the totalitarian rule of the Party. His China Dream is to see the growth and the flourishing of a civil society in which the rights and freedom of the people are realized and respected. The people's freedom and happiness is the essence of his China Dream.

The other interesting comparison between Xi and Liu is about their past painful experiences of being victimized under the repression of the ruling dictatorship of the Chinese Communist Party. Xi's Father Xi Zhongxun (习仲勳), a veteran revolutionary and high-rank official in charge of Party propaganda in the early 1960s, was put into jail as he was branded as a counter-revolutionary for permitting the publication of a novel allegedly with an intention to rehabilitate the former defence minister Peng Dehuai (彭德懷), Mao's very hated critic. Xi suffered

political discrimination and even persecution due to his family background as one of the 5 black categories, namely, the landowners, the rich, the counter-revolutionaries, the wicked and the rightists. He only managed to gain entry into politics after the death of Chairman Mao in 1976 and the subsequent rehabilitation of his father. Xi's subsequent rise no doubt benefitted from the influence of his father who in the 1980s became the party secretary of Guangdong Province. Xi's father was one of the few veterans who could speak directly to the paramount leader Deng Xiaoping and he was praised for his courage to say "NO" to Deng when the former liberal party general secretary Hu Yaobang (胡耀邦) was disgraced and when Deng decided to deploy armies to suppress the 1989 Democracy Movement. However, to the surprise of many observers, Xi does not appear to have this noble trait of his father's personality as being an upright and liberal-minded person. All his acts and decisions show his propensity to dictate, control and repress rather than tolerance and broad-mindedness.

Liu had quite an uneventful upbringing, but he was more fortunate than Xi as he was able to receive good education and acquired a real doctorate degree in literature through very serious examination by his academic supervisors. He became famous as a literary critic in the 1980s when he engaged in debate on question of aesthetics with top literary scholars in China. However, there was a drastic turn of his fate when he joined the hunger strike in Tiananmen in May 1989 to support the students and the Democracy Movement. Liu was imprisoned for about 1 year post-1989 but was sent back to prison in 1995 when he joined an open campaign to call for the country's reform by establishing democracy and the rule of law. After he was released in year 2000, he became the chairman of the Independent Chinese PEN, a group of intellectual critics, and continued to publish to call for political reform leading finally to his glorious action to collaborate with over 300 public

intellectuals to write and promulgate the *Charter 08*. The immense sufferings of Liu did not breed any hatred and hostility against anyone in the heart of Liu even up to the date of his death. It is indeed very unfortunate that Xi learnt a different lesson from his painful experience, that instead of seeking to avoid or eliminate political dictatorship as the root cause of human sufferings, he decided to acquire absolute dictatorial power himself, as the best protection for himself, his family and his Party.

The Historic Significance of Charter 08

Will China under Xi's reign of rule become a great and powerful nation or bring more humiliation to the country and more sufferings to its people? No one can readily foretell the future of China, but I will attempt to make a judgment on the historic significance of *Charter 08* and the life of Liu Xiaobo at this juncture of history.

Liu's *Charter 08* is symbolically a continuation of over one century's struggle of the Chinese people for political liberation. During the period when China was under imperialist invasion, the Chinese people fought for national rejuvenation and revival (with call for democracy) in order to liberate the people from being subjected to foreign domination and oppression. After the People's Republic of China was founded in 1949, the Chinese people, however, continued to suffer from deprivation of basic human rights and freedom under communist rule and particularly Mao's dictatorship. The 1989 Democracy Movement was started by the people as a protest against corruption and then followed by call for democratic reform and rule of law. The protest in reality is a continued struggle for the liberation of the Chinese people from political oppression, albeit this time from their own government and not the foreign invaders or imperialists. The continued struggle of the people for freedom and democracy will continue, as evidenced by

the continuous and relentless campaigns of the rights defenders throughout the country.

Liu Xiaobo's death does not close the chapter of the democracy movement of the Chinese people but rather left his valuable legacy *Charter 08* which will serve as the lighthouse providing the direction for the Chinese people in their continued struggle until they are truly liberated from political oppression.

At the end, the truth is that there is no end in history as once suggested by the political science scholar, Francis Fukuyama, but there will be continued striving of the people to fight for and maintain and sustain a free, open and just society, where they can live with dignity and without fear of their own government. Judging from the universal value upheld by the international community and viewing the historical progress in the history of human civilization, China cannot be a truly great nation if its people are not free!

Note

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*Party-State, Dissent and
Human Rights*

The Policy Programme and Human Rights Position of the Xi Jinping Administration

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Abstract

In the Nineteenth Party Congress in October 2017, Xi Jinping managed to consolidate power, generating speculation that he may even seek a third term in 2022 against the established political convention. To a considerable extent, the Party regime has been able to maintain legitimacy through economic growth, a basic social security net covering the entire population and effective governance. Above all else, Xi Jinping's impressive combat of corruption has been a significant hallmark of his administration. This article attempts to examine the policy programme of the Xi Jinping administration and understand its basic position on human rights in China's present environment where civil society is still developing under increasingly difficult conditions and as yet to be in no position to confront the Party regime.

Keywords: *Xi Jinping administration, policy programme, human rights, civil society*

1. Introduction

This article attempts to examine the policy programme of the Xi Jinping administration and understand its basic position on human rights (see Cheng, 2012). Obviously, Xi and his predecessors have made a substantial contribution to China's economic development; but the Party regime has no intention to give up its monopoly of political power. The formula for the maintenance of the regime's legitimacy during the Hu Jintao-Wen Jiabao administration (2002-2012) was economic growth, a basic social security net covering the entire population, and good governance without democracy. Hu Jintao and his colleagues realized that rapid economic growth could present serious shocks to social stability. Economic take-off generated a revolution of expectations; when people's demands were not met, grievances and dissatisfaction would emerge, adversely affecting social stability.

Vested interests certainly posed resistance to political reforms, but in general the Party leadership had been reluctant to allow the people's congress system and the mass media to rise as effective checks and balances mechanisms. In contrast to the promotion of political reforms and democracy, these measures would not immediately threaten the Party's monopoly of political power. In the initial years of the Hu-Wen administration, the media and the people's congress system enjoyed some limited liberalization. But since the Beijing Olympics in 2008, the entire political ecology had been tightened. In this increasing political intolerance, dissidents and the human rights movement (see Pils, 2015), autonomous labour groups, and the underground churches especially felt the pressure.

The Chinese leadership intended to create a deference effect and was willing to pay the price in terms of damage to its international image. At the same time, it engaged in spending large amounts of resources to enhance China's soft power. This was of course in line with

the Party regime's priorities, to remove the threat to the dictatorship of the Party always came first.

The strengthening of political suppression was to some extent related to the difficulties in the domestic and international environment. In 2008, there were riots and disturbances in Tibet, followed by those in Xinjiang in the next year. Since then, mass incidents had been on the increase, people's rights consciousness strengthened and their political struggle skills also improved in sophistication. In 2010, migrant workers in a number of coastal cities went on strikes and protests to fight for better wages and working environment. Chinese leaders adopted soft tactics in handling the incidents, but there had been no serious political reforms since the Tiananmen Incident in 1989.

The 2008-2009 global financial crisis heralded slower economic growth worldwide. Though the Chinese economy well demonstrated its resilience and its relative position actually improved, it had to accept the new normal of slower economic growth in the following decade. The accompanying downturn in world trade and the excessive capacity accumulated as a result of the stimuli packages introduced in the wake of the crisis strengthened the sustainable development strategy of relying more on domestic consumption rather than exports and infrastructure investment. This meant that the regime was willing to spend more on social services and the improvement of people's livelihood.

The Arab Spring in 2010 further alerted the Chinese leadership to the maintenance of social and political stability. Political control further tightened, especially regarding the Internet and social media. The authorities paid more attention to the employment issue, especially that of the fresh graduates, in view of the large-scale expansion of tertiary education since 1999. During the Hu-Wen administration, China became the second largest economy in the world and the largest trading state; after the 2008 Beijing Olympics, Shanghai held the World Expo in 2010.

Chinese people believed that China had “stood up”, and were proud of China’s rising international status.

While the Hu-Wen administration realized that raising China’s international status had become an important source of legitimacy for the Party regime, they tended to continue to adopt a low profile. It avoided any reference to the Beijing Consensus (see Ramo, 2004: 11-13; Williamson, 1990: 8-19) nor G-2, for example. In fact, the mainstream Chinese mass media avoided talking about “*shengshi*” (a glorious era) (Wu, 2010: 29-30) soon after the global financial crisis in 2008-2009, probably in recognition of the deteriorating domestic and international environments.

2. The Policy Orientation of the Xi Jinping Administration

During the Xi Jinping administration, Chinese leaders realized that double-digit economic growth rates could no longer be maintained. In the new normal, China would still achieve high medium-range growth rates, i.e., about 6-7 per cent per annum. In the 2013-2016 period, China secured an average annual economic growth rate of 7.2 per cent, higher than the world average of 2.6 per cent and the developing countries’ average of 4 per cent in the same period. In these years, per capita annual disposable income increased 33.3 per cent to 23,821 yuan at an average annual rate of 7.4 per cent. Xi Jinping administration was proud to indicate that people’s income rose at a higher rate than GDP growth; and it also pointed out that the Gini coefficient dropped from 0.474 in 2012 to 0.465 in 2016 (Zhang and Fan, 2018: 3-5). This is nonetheless still an unacceptably high level for a socialist country, and exceeds the commonly recognized safety level.

In 2017, the National Reform and Development Commission released a policy document on deepening the reform of the income

distribution system. The gist was to improve the remuneration for technical personnel, those engaged in scientific and technological work, enterprise managers and executives, new-type professional farmers, etc. to enhance their incentives; and to improve the taxation system, the social security system and poverty alleviation work¹ (see also Zhang and Fan, 2018: 6).

It is obvious that the Xi administration has maintained the basic objective since the beginning of the era of economic reforms and opening to the external world to exploit economic growth as the major source of legitimacy for the regime. However, when the economy slows down, his administration is more concerned about raising people's living standards to stimulate domestic consumption, and to limit the widening gap between the rich and poor as well as strengthen income redistribution to contain the grievances. The predominant considerations are regime maintenance and regime legitimacy, as well as social and political stability, through people benefitting from such a policy programme.

Employment has been a key element in avoiding social instability, an inconstant lesson learnt from the Arab Spring. In 2012-2016, employment improved despite the economic slowdown. It was claimed that employment had been secured for the rise in urban population with new job positions amounting to over 65 million; re-employment for 27.9 million workers who had lost their jobs were achieved; and 8.8 million urban workers with inadequate qualifications also managed to find jobs. In 2017, newly employed workers reached 10.97 million in the first three quarters, in comparison with the annual target of 11 million. In the same year, the urban registered unemployment rate stayed below 4 per cent; and the unemployment rate based on surveys in 31 major cities remained below 5 per cent (Zhang and Fan, 2018: 8). The respectable combat of unemployment was due to economic growth, the expansion of

the tertiary sector, the support given to small and micro enterprises, and the reforms adopted by the relevant government agencies.

China produced 7.56 million graduates from tertiary institutions in 2016 and 7.95 million graduates in 2017. According to statistics, actual employment of graduates was maintained at a high level of over 90 per cent from 2011 to 2015, increasing from 90.2 per cent to 91.7 per cent. Encouragement of graduates to start their own businesses and seeking further education both help to reduce the employment pressure. According to opinion surveys, the employment quality index of fresh graduates stayed at a level between 63.08 per cent and 67.56 per cent in 2010-2015; and their employment satisfaction index rose considerably from 47 per cent in 2010 and 2011 to 62 per cent in 2015 (Zhang and Fan, 2018: 8-9; Mo, Chen and Wang, 2018: 48-56). In view of the increasing number of graduates and the fact that a substantial segment of them did not have the qualifications and training to meet the job market demands, their employment quality and employment satisfaction were not too bad, probably reflecting the graduates' adjustment to the real world situation.

The Xi Jinping administration continues the Hu-Wen administration's work in providing a basic social security net covering the entire population. At the end of 2016, the basic pension system, unemployment benefits system, work injuries compensation system and the childbirth insurance system covered 888 million people, 181 million people, 219 million people and 185 million people respectively. The basic medical insurance system was participated by more than 1.3 billion people, actually succeeding in universal suffrage. In the same year, the basic pension scheme provided an average monthly payment of 120 yuan per head; and those enjoying an enterprise retirement scheme received an average monthly payment of 2,362 yuan per head. In 2017, government budgetary subsidy for the basic medical insurance system

reached 450 yuan per head² (see also Zhang and Fan, 2018: 11-12).

In the first five years of the Xi administration, poverty alleviation work also made substantial progress. It was claimed that over 60 million people were lifted above the poverty line. In 2017, 28 poor counties passed the review of the national authorities and were removed the designation. Since thirty-one years ago when the state first designated poor counties for assistance, this was the first time that a net decline in their number occurred.

In 2016, the poor population in rural areas fell to 43.35 million people assuming the poverty line to be a per capita net income of 2,300 yuan per annum (at 2010 unchanged prices) – a fall of 92.4 million people compared with 2015. In 2017, the Xi administration would concentrate on consecutive patches of especially difficult areas, old revolutionary areas, ethnic minority areas and the border regions, and it was hoped that the rural poor population would be reduced to 30 million (Zhang and Fan, 2018: 13).

According to the document “‘Healthy China 2030’ Planning Guidelines”, in 2015 life expectancy in China had reached 76.34 years with infant mortality rate, death rate for children below five, and death rate for pregnant women at childbirth declining to 8.1 per cent, 10.7 per cent and 20.1 per 100,000 respectively. It was said that, by 2020, Chinese people’s health level would reach the front ranks of high middle-level income countries. By 2030, the key health indicators of the Chinese nation would reach the level of high-income countries; at that time, Chinese people’s life expectancy would reach 79 per cent or even exceed 80 years, infant mortality rate would fall to 6 per cent, and the death rate for pregnant women at childbirth to 12 per 100,000 (Zhang and Fan, 2018: 12-13).

In terms of good governance, Xi Jinping pledged in his political report to the Nineteenth Party Congress on 18th October 2017 that his

administration should be good at learning, at exercising political leadership, at exercising law-based governance, at engaging with the people, at implementing policy and at managing risks, as well as should be good reformers and pioneers, and good at promoting sound development. He also promised to improve the Party's ability to purify itself, deepen reform of the national supervision system, as well as reform the auditing management system and improve the statistics system (Xi, 2017: 61-67).

Above all else, Xi Jinping's impressive combat of corruption has been a significant hallmark of his administration. At the Nineteenth Party Congress, Xi promised to continue the campaign and considered "the fight against corruption remains grave and complex", and that his administration would "institute a system of disciplinary inspection for city and county level Party committees" (Xi, 2017: 60-61). While this campaign against corruption was used as a tool to strike at the political enemies of Xi in the intra-Party political struggles at high levels, the campaign has been popular among the people. The problem of corruption certainly has not been resolved, the people's congress system and the mass media have not been given any role in the combat of corruption, and this combat has been relying on campaign activities which can hardly be sustainable. Conspicuous consumption declined, though this was not good for the economy. The authorities reported on the drop in expenditure on conferences, official travels and official cars; for example, such expenditure at the central government level was reduced by 31 million yuan in the 2017 budget (Zhang and Fan, 2018: 4).

It is worth mentioning also that the Xi Jinping administration continues to accord considerable priority to environmental protection. China's forest coverage increased from 21.38 per cent in 2012 to 22.3 per cent in 2016; and the PM 2.5 average density in the Beijing-Tianjin-

Hebei area, the Yangtze Delta and the Pearl River Delta fell more than 30 per cent from 2013 to 2016. Water quality was said to be stable during the first five years of the Xi administration. In 2017, it was highlighted in the mass media that the water of the Yellow River became clearer (Zhang and Fan, 2018: 16).

In striving to enhance the legitimacy of the regime and ensure social and political stability, the Xi Jinping administration's policy programme has made contributions to people's livelihood issues.

3. The Self-confidence of the Xi Jinping Administration and Its International Propaganda Offensive

In contrast to his predecessors, Xi has adopted a much higher profile domestically and internationally. He advocated the idea of the China Dream and talked about "self-confidence in following the right path, self-confidence in theory, self-confidence in institutions and self-confidence in culture". This self-confidence means much less tolerance for Western ideas.

In spring 2013, the Communist Party of China (CPC) Central Committee Office released a document criticizing that the spread of universal values was to deny Party leadership, hence political core objective of the censorship was imposed against the discussions of universal values, freedom of the media, civil society, civil rights, the historical mistakes of the CPC, the concept of the power elite capitalist class and the independence of the judiciary. The policy document also condemned "historical nihilism", i.e., denying the verdicts of the Party on historical issues, with the ultimate objective of weakening and even overthrowing the legitimacy of Party leadership (He, 2013). These were very serious accusations under the Party regime.

Xi Jinping obviously considers that the spread of liberal Western ideas and criticisms against the Party positions on important historical issues dangerous to the maintenance of the Party regime and political stability. This harsh position quickly led to strict control of the Internet and the social media, as well as deliberations in university campuses. The violations of human rights will be discussed below. But the author's academic friends in China told him that soon after this, university staff members of associate professorship and above would be required to deposit their passports with the university management; they should ask for them before their overseas travels. Nationally the academic papers they were to deliver at academic conferences abroad had to be submitted beforehand for approval. Their travel schedules were limited; academic trips should not exceed one week, and the academics often complained that they could not extend their academic visits to do a bit of tourist sightseeing.

The self-confidence and high profile on the part of Xi Jinping led to a large-scale offensive to articulate China's position in the international community. Xi introduced his concept of "building a community of shared future of all humankind" (*goujian renlei mingyun gongtongti*), and this was articulated in Xi's speeches in international fora in the first term of his administration. The important message had been that China shared common interests with the entire human race, and that China's rise would be beneficial, and not a threat, to the global society. It also involved implicitly a claim that China would assume an increasing role in global governance. Xi Jinping fully realized that his contributions to enhancing China's international status and influence would, in turn, strengthen his administration's legitimacy and his own domestic political appeal.

In January 2017, Xi delivered a speech at the United Nations' Palais des Nations in Geneva. He stated:

Sovereign equality is the most important norm governing state-to-state relations over the past centuries and the cardinal principle observed by the United Nations and all other international organizations. The essence of sovereign equality is that the sovereignty and dignity of all countries, whether big or small, strong or weak, rich or poor, must be respected, their internal affairs allow no interference and they have the right to independently choose their social system and development path.

(Worden, 2017)

There was nothing new in the above statement; the basic rationale is why other countries should not criticize China's human rights record. Chinese leaders firmly believe that this line of defence is widely shared by developing countries, and would serve as the foundation for a united front in which China would play a key role. Chinese leaders and their diplomats often preach dialogue, consultation and "openness and inclusiveness", i.e., China and the developing countries must not be excluded.

The Chinese position on human rights accords a priority to the right to development and economic rights over individual civil and political rights, and insists on a relativistic approach to human rights based on each country's unique history, culture, values, and political system (Worden, 2017). The position again is welcomed by developing countries, and China's united front strategy has been quite successful in winning a majority support in international organizations against the Western world's criticisms of China's violations of human rights. In turn, China has been actively in support of other Third World countries in their defence against Western countries' similar criticisms. Together they have been fairly successful in weakening the United Nations human

rights framework based on the principle of the universality, indivisibility and inter-dependence of all human rights.

China's diplomatic offensive involves introducing China's position into various resolutions of international organizations and fora. For example, China's concept of "building a community of shared future" was included in two resolutions adopted during the 34th session of the United Nations Human Rights Council in March 2017: a resolution on the "Question of the realization in all countries of economic, social and cultural rights" (A/HRC/34/L.4/Rev.1) and a resolution on "The Right To Food" (a/HRC/34/L.21).

The Chinese authorities in recent years have the sources and skills to organize international events to spread China's position on human rights too; and these activities are relatively new, demonstrating the high-profile and self-confidence of the Xi Jinping administration. On March 8, 2017, for example, the Chinese Mission to the United Nations Office in Geneva and the China Society for Human Rights Studies (an NGO sponsored by the Chinese government) held a side event entitled "Building a Community of shared Future for Mankind: A New Approach to Global Human Rights Governance". In the following June session of the Human Rights Council, another similar side event was organized on "building a community of shared future". It released a joint statement on behalf of more than 140 countries entitled "Joining Hands to Reduce Poverty, Promote and Protect Human Rights" (Worden, 2017).

In early December 2017, China organized a more ambitious "South-South Human Rights Forum" in Beijing for the first time. President Xi Jinping sent a congratulatory message, and it emphasized that: "The development of human rights worldwide cannot be achieved without the joint efforts of developing countries, which account for more than 80 per cent of the world's population ... Developing countries should uphold both the universality and particularity of human rights and steadily raise

the level of human rights protection. It is important for the international community to respect and reflect the will of the [human rights protection.]”³.

In the broader context, China is now the second largest economy in the world and the largest trading nation. Its imports of energy and industrial new materials have supported commodity prices and offered better terms of trade for developing countries heavily dependent on exports of resources. As a major aid donor and source of foreign investment, China has presented itself as a competitive alternative to the U.S. and the European Union. It has refused to join hands with the latter to exert pressure on the Third World countries to improve their governance, and instead insists on respect for national sovereignty. This position backed by substantial economic power, including foreign exchange reserves of more than US\$3 trillion seeking investment outlets, means that China’s position on human rights easily attracts the support of the non-democratic developing countries. Under the Xi Jinping administration, China has been much more active in building an international united front articulating the fundamental tenets of China’s traditional human rights perspective.

The self-confidence of the Xi Jinping administration was perhaps best illustrated by the release of a book entitled *China’s New Achievements in Human Rights (2012-2017)*, with a preface written by Foreign Minister Wang Yi, which was released to welcome the holding of the Nineteenth Party Congress. The preface was published in full by the *People’s Daily* on September 14, 2017. Wang quoted Xi Jinping’s claim that “China has combined the universal principle of human rights with China’s reality, and found a route suited to China’s national conditions” (Gao, 2017). Wang also indicated that China had broadly participated in international human rights governance; in the first term of the Xi Jinping administration, China conducted more than fifty dialogues

on human rights with more than twenty countries. Moreover, China had twice deterred the attempts of some countries to interfere in China's internal affairs in the name of human rights, and China managed to preserve its image (Gao, 2017).

China continued to participate at a formal level with international human rights mechanisms, such as the United Nations Human Rights Council's universal periodic review process (see Inboden, 2017: 17). But the Chinese authorities placed serious barriers to visits by United Nations human rights officials. From 2005 to the autumn of 2017, Beijing had not allowed a visit by the United Nations High Commissioner for Human Rights; and continued to delay fifteen requests for visits by special rapporteurs working on political and civil rights issues. China, however, allowed visits by four rapporteurs between 2005 and September 2017 on issues like poverty, debt and the status of women. But their visits were restricted, and contacts not sanctioned by the Chinese authorities posed risks to those involved.⁴

In August 2016, the United Nations special rapporteur on extreme poverty, Philip Alston, visited China. In his departing press conference, he noted some improvements made but condemned the “dramatically shrinking space for civil society”. Subsequently, the United Nations expressed concern about the detention of Jiang Tianyong, a prominent human rights lawyer who had met Alston in Beijing; Jiang disappeared for several months and was later charged with subversion⁵ (see Human Rights Watch, 2017: 12).

The deteriorations in the human rights conditions in China began to attract international attention in the recent years. In February 2016, the United Nation High Commissioner for Human Rights expressed concern regarding China's continued arbitrary detention and interrogation of human rights lawyers, harassment and intimidation of government critics and NGO workers, and the negative impact on basic rights of the new

Foreign NGO Management Law.

In the same month, the European Parliament adopted a strong resolution condemning human rights abuses in China; and in the following March, a dozen governments led by the U.S. issued a statement condemning China's "deteriorating human rights record" at the United Nations Human Rights Council. The United Nations Secretary-General, Ban Ki-moon, in his first China visit in July 2016, also expressed concern about its crackdown on civil society, and urged the Chinese authorities to give "citizens a full say and role in the political life of their country" (Human Rights Watch, 2017: 11).

On the whole, these criticisms were rare, and they were not accompanied by any pressures on China to change. Chinese leaders correctly interpreted them to be gestures in response to domestic public opinion pressures, and that the governments and international organizations concerned had no intention to impose sanctions on China, instead they were prepared to maintain good relations with China. Hence Chinese leaders ignored these criticisms.

The Xi Jinping administration has been relieved to note that the Donald Trump administration is not interested in human rights issues. President Trump's "America First" policy demands Beijing to exert pressure on Pyongyang and make concessions in trade issues, reducing China's trade surplus and allowing the U.S. to increase domestic investment in its re-industrialization and enhance employment. Xi Jinping seems willing to respond in a measured manner. In March 2017, when eleven countries signed a letter criticizing China for torturing its human rights lawyers, the U.S. was not one of them, marking the first time the U.S. refused to sign this type of joint statement (Rothschild, 2017).

4. The Human Rights Violations under the Xi Jinping Administration

From the point of view of removing threats to the Party regime, human rights lawyers, autonomous labour groups and underground churches became major targets in the Xi Jinping administration's political crackdown. At the same time, to ensure social and political stability, control of the Internet and social media had been much tightened. Xi even demanded the official mass media to declare absolute political loyalty to the Party.⁶

Human rights lawyers were perhaps a good example to illustrate this political crackdown. Teng Biao, a famous human rights lawyer in China, was lauded by state media in 2003; he was detained in 2011 and subsequently exiled.⁷ Chinese leaders advocated the rule of law and was supported by the human rights lawyers, hence they were praised. But when they really wanted to uphold the rule of law and defended the rights of dissidents and various types of political activists, they themselves became targets of a political crackdown. In fact, they had no intention to challenge the Party regime, but the latter perceived them as a threat (Pils, 2015).

In July 2015, the Chinese authorities disappeared, detained or questioned at least 159 lawyers and activists throughout China, including Wang Yu, Zhou Shifeng, Li Heping and Sui Muqing. They were well known for their rights defence work, such as representing clients facing persecution for their religious beliefs, forced evictions and rights defence activities. Sharon Hom, executive director of Human Rights in China, stated: "The massive rounding up of frontline legal advocates whose roles are to protect rights exposes the government's 'rule-by-law' policy for what it is: a weapon for repression. It also seriously undermines China's international credibility and domestic legitimacy."⁸

Official media now characterize these human rights lawyers as a “major criminal gang”, accusing them of “stirring up several serious public opinion issues” and “disrupting the legal process”. This crackdown on human rights lawyers continues till now, and interested readers may go to the website of China Human Rights Lawyers Concern Group for an updated list.

The Chinese authorities in recent years increasingly use ill-defined public order charges against human rights lawyers and various types of activists, including “creating disturbances” and “disturbing social order”. Charges of “subversion” since the mid-2010s have been extended to human rights lawyers and other activists, and this crime may carry prison terms of ten years or more. They are also frequently put on trial on national television to “voluntarily” confess to their crimes (see Human Rights Watch, 2017: 3; Rothschild, 2017). This helps to justify the arrests and trials on the part of the Chinese authorities, and humiliates the activists concerned. But it also shows that the Chinese authorities have no respect for basic human rights, though they are very skilful in exploiting human weaknesses. It is believed that torture is widely practised in China's public security apparatus (see, for example China Human Rights Lawyers Concern Group, 2017).

In 2014 or so, labour unrest was exacerbated in the coastal cities in China because the global economic slowdown and rising wages due to labour shortage were forcing some factories to close or move inland, often without proper compensation for the workers affected. The number of strikes more than doubled from 656 in 2013 to 1,378 in 2014, according to China Labour Bulletin, a Hong Kong-based advocacy group. In April 2014, it was reported that 40,000 employees of Adidas and Nike supplier Yue Yuen went on strike to demand social insurance payments.⁹

Autonomous labours groups were active in helping the workers and they were perceived by the Chinese authorities as troublemakers because the latter saw strikes as mass incident threatening social stability. Social media platforms such as Wechat, QQ and Sina Weibo were facilitating news of industrial action to spread. Zeng Feiyang, director of the Panyu Migrant Workers Centre in Guangzhou and a prominent labour activist, was detained overnight without charge in a police station for the first time in December 2014. Many labour activists could not find accommodation and/ or maintain offices because police told their landlords that they were politically dangerous.¹⁰

In January 2016, Zeng and three other labour activists were arrested, and Zeng was charged with “disturbing social order”. Human rights groups indicated that this wave of clampdown on dissent was the most sweeping in two decades in China. In 2015, the number of strikes in China further doubled that for the previous year to a record 2,774.¹¹ Meanwhile, the Chinese authorities launched a smear campaign against Zeng Feiyang.¹² The Xinhua report appeared in the *People's Daily* the next day.

In the beginning of the 2010s, the Chinese authorities attempted to absorb the autonomous labour groups and NGOs into the official orbit by making it easy for them to formally register and involving them in service delivery for the official social service programmes. Those which were absorbed had no more worries of political suppression and funding support, though they lost their autonomy and had to operate according to official guidelines. Those which refused became obvious targets of political crackdowns.

Christianity, especially its family churches, is seen as a threat by the Chinese authorities because it has been affecting China in an important way in the cultural globalization process, and China's democratization process is a part of the cultural globalization process too. Family

churches have been causing serious changes in China's state-society relationship as well as having an impact on the values and thinking of the Chinese people (Cheng and Li, 2014). This explains why the Chinese leadership tolerates the traditional temples and forms of worship but not the spread of Christianity.

According to Micklethwait and Wooldridge (2010), by 2050, China's Christian population will be the largest of all countries. It will probably reach 200 million by 2020 on the basis of 5 per cent growth per annum; and may eventually reach 300 million. In April 2016, Xi Jinping gave a major speech on religion, and he warned against "overseas infiltration through religions means" as well as called on religions to "Sinicize" or "adopt Chinese characteristics" (Human Rights Watch, 2017: 9). Apparently, he very much had Christianity in mind.

Many businessmen in Wenzhou, Zhejiang, famous for its entrepreneurship, have been converted to Christianity. They attempted to practice Protestant ethics, set a good example in their way of life and actively engage in charity work. But in recent years, even the churches there could not escape suppression. In 2015, many Christians were detained for resisting the provincial campaign to remove crosses from churches, though some of them were released in the following year. In February 2016, Zhejiang (known as "China's heartland of Christianity") state television showed a coerced confession of human rights lawyer Zhang Kai, who had been detained incommunicado for providing legal advice to Christians affected by the cross removals. Zhang was released in the next month. In Jinhua city in the same province, pastors Bao Guohua and Xing Wenxiang were sentenced to fourteen and twelve years respectively, in a case widely believed to be retaliation for their opposition to the anti-cross campaign.

In August 2016, a Tianjin court sentenced Hu Shigen, a prominent activist and a Christian, to seven and a half years in prison. Hu's crimes

included “rising illegal religious activities as a platform” to “spread subversive thoughts”. In the following month, the Chinese government publicized draft revisions to its restrictive Religious Regulations promulgated in 2005, demanding that religion “protects national security” and prohibiting individuals and groups not approved as religious bodies from attending meetings abroad on religion (Human Rights Watch, 2017: 8-9).

After the riots and protests in Tibet and Xinjiang in 2008 and 2009 respectively, there were some brief attempts to adopt a more relaxed policy line towards the Tibetans and Uighurs. But the soft line was soon abandoned. The severe restrictions on fundamental human rights and pervasive ethnic and religious discriminations have led to widespread resentment against the Chinese authorities, many protests and even some acts of terrorism from radical Muslim Uighurs. Xinjiang and Tibet consist of almost one quarter of the land mass in China, and naturally have been a very significant issue of national security in the eyes of the Chinese leadership. But policies of forced assimilation and integration imply severe disrespect of the ethnic minorities’ cultures, religions and languages; and they are blatantly unsuccessful in bringing peace and harmony. Yet the Chinese leadership has obviously failed to overcome its ideological and cultural arrogance. Since the repressive policies go against the Chinese Constitution as well as the Chinese authorities’ declarations and pledges, the Tibetans and Uighurs naturally deny the party regime legitimacy and trust. Chinese leaders still believe that pumping money into the ethnic minority areas to raise living standards and public services will win the hearts of the people, but they have been proven wrong.

In 2016, the Chinese authorities promoted “anti-splittism” and “stability maintenance” campaigns despite the absence of tangible threats, and all residents of Tibet were barred from foreign travel. The

Thirteenth Five-Year Economic and Social Development Programme (2016-2020) as usual sets ambitious goals for major infrastructure and urban development projects; and the Tibetan areas in Qinghai and Sichuan provinces have been slated for more resource extraction. These development plans generated many public protests including those involving rural land grabs.

The restrictions on religious freedom included a programme of demolition and evictions at Larung Gar monastery complex in Serta county, Sichuan; and the world's largest Tibetan Buddhist mark community would be reduced from at least 10,000 in 2016 to about 5,000 by September 2017. Meanwhile, the self-immolation campaign of Tibetans continued (Human Rights Watch, 2017: 7-8).

In Xinjiang, the Ili police announced that applicants for passports must supply a DNA sample, fingerprints, a voice recording, and a “three-dimensional image”. The requirement added to existing restrictions on foreign travel for Xinjiang residents, and heralded the advanced technological 1984 version of surveillance and control. Local government authorities continued to ban civil servants, students and teachers from fasting and ordered restaurants to stay open during the month of Ramadan. In August 2016, the Xinjiang authorities issued a new directive to implement the national Counterterrorism Law (Human Rights Watch, 2017: 7).

In early 2018, the Xinjiang authorities sent thousands of Uighurs to “political re-education camps” to learn Putonghua, sing pro-CPC songs and articulate praises of the Party regime. It was reported that about 120,000 people in southern Xinjiang had been admitted into these re-education camps. The inmates also had to confess their crimes such as visiting mosques or travelling abroad. A BBC reporter visiting Xinjiang was said to have been monitored and harassed.¹³

Finally, the severe restrictions on freedom of expression in China were solid evidence against the self-confidence articulated by the Xi Jinping administration. In early 2016, there was campaign to shut down the microblog of prominent bloggers including that of Ren Zhiqiang who had 35 million followers, after Ren criticized Xi Jinping's appeal to the major state media to pledge absolute loyalty to the Party. In the following May, the State Administration of Press, Publication, Radio, Film and Television (SAPPRFT) net video companies and asked them to sell company equity stakes to the government as a means to increase control over content.

In June 2016, the Cyberspace Administration issued new rules demanding app providers to keep user logs for sixty days to reduce the spread of "illegal information". It also ordered news websites to "clean up" comment sections to remove views prohibited by the government. In the next month, the Beijing Cyberspace Administration shut down seven web-based news channels of Sohu, Sina, NetEase and Ifeng; and *Yanhuang Chunqiu*, a moderately liberal magazine backed by some Party elders, was closed. Then in August in the same year, the Cyberspace Administration imposed new requirements on websites, including demanding staff to monitor content round the clock; and the SAPPRFT released a notice ordering all media "not to promote Western lifestyles" or "to poke fun at Chinese values" when reporting entertainment news (Human Rights Watch, 2017: 4-5). The above of course is a limited sample.

5. Conclusion

In the Nineteenth Party Congress in October 2017, Xi Jinping managed to consolidate power, generating speculation that he may even seek a third term in 2022 against the established political convention. It is

therefore expected that the policy programmes and inclinations discussed in this article will continue; and there are no signs that the human rights situation in China will improve.

To a considerable extent, the Party regime has been able to maintain legitimacy through economic growth, a basic social security net covering the entire population and effective governance. The Xi Jinping administration has been spending a higher proportion of the budget on public and social services, and his combat of corruption and his efforts to enhance China's international status and influence have been popular among the people. It is not likely that an Arab Spring kind of situation would arise in China in the coming five years or so.

Meanwhile, civil society is still developing under increasingly difficult conditions. It is in no position to confront the Party regime yet, and probably will not be able to do so in Xi Jinping's second term. But the intelligentsia has become more and more exposed to the developments in the Western world. The latter's appeal has been well demonstrated by the middle class families' enthusiasm to send their children to the elite universities in the U.S. and Europe. The weakness of the Party regime is also exposed when it can no longer hide that a considerable segment of the political elites has moved their families and wealth to the Western world.

The latter has become impatient in recent years with the lack of convergence in values in China despite its embrace of capitalism and impressive economic development. More criticisms have emerged, though there is still an absence of political will to impose sanctions. The Western world has to bear with the escalating arrogance of the Xi Jinping administration in ignoring its protests and continuing to propagate Beijing's discourse on human rights in the international community. In his political report to the Nineteenth Party Congress, Xi, for the first time, declared that "by the mid-21st century our people's

armed forces have been fully transformed into world-class forces” (Xi, 2017: 48).

In the long term, one should still have confidence that a regime which denies its people their human rights will not last long, but one has to admit that at this stage, this optimism is difficult to maintain.

Notes

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powerhouse (2018). He was chairman of the Hong Kong Observers (1980-1982) and convener of Power for Democracy (2002-2004). He has been a Justice of Peace since 1992 and was the founding president of the Asian Studies Association of Hong Kong (2005-2007). During 2006-2008, he served as the secretary-general of the Civic Party. He was involved in the launch of the New School of Democracy and served as convener of the Alliance for True Democracy in Hong Kong. <Email: josephcheng6@gmail.com>

1. “ “ 提低、扩中 ” 收入分配改革再提速 ” [“raising low incomes, expanding the middle-income strata”: further accelerating income distribution reforms] (reported by Ban Juanjuan / 班娟娟), 經濟參考 (*Economic Information Daily*), 1st November 2017. <http://www.jjckb.cn/2017-11/01/c_136718880.htm>
2. “ 社保五年：建立起世界上覆盖人群最多的社会保障制度 ” [social security in the past five years: to build a social security system covering the largest number of people in the world] (reported by Wei Yuping / 危昱萍), 21 世纪经济报道 (*21st Century Business Herald*), 17th October 2017. <http://epaper.21jingji.com/html/2017-10/17/content_72414.htm>
3. “Full text of Chinese President Xi Jinping’s congratulatory message to South-South Human Rights Forum”, *Xinhua Net*, 7th December 2017. <http://www.xinhuanet.com/english/2017-12/07/c_136808493.htm>
4. “China’s rights crackdown is called ‘most severe’ since Tiananmen Square” (reported by Nick Cumming-Bruce), *The New York Times*, 5th September 2017. <<https://www.nytimes.com/2017/09/05/world/asia/china-human-rights-united-nations.html>>
5. “China’s rights crackdown is called ‘most severe’ since Tiananmen Square” (reported by Nick Cumming-Bruce), *The New York Times*, 5th September 2017. <<https://www.nytimes.com/2017/09/05/world/asia/china-human-rights-united-nations.html>>

6. “中國媒體觀察：「黨媒姓黨」攪翻的輿論場” [observations on the Chinese media: “party media have to be loyal to the party” disturbs the public opinion scene] (reported by Zhao Yashan / 趙雅珊), *BBC in Chinese*, 29th February 2016. <http://www.bbc.com/zhongwen/trad/china/2016/02/160229_renzhiqiang_china_state_media>.
7. “Activist lawyer vows to keep fighting for human rights” (reported by Verna Yu), *South China Morning Post*, 31st August 2014. <<http://www.scmp.com/news/china/article/1582039/activist-lawyer-vows-keep-fighting-human-rights>>
8. “Mass suppression of lawyers reveals true nature of Xi’s ‘rule by law’”, *Human Rights in China*, 14th July 2015. <<https://www.hrichina.org/en/press-work/mass-suppression-lawyers-reveals-true-nature-xis-rule-law>>
9. “China labor activists say facing unprecedented intimidation”(reported by Alexandra Harney), Reuters, 22nd January 2015. <<https://www.reuters.com/article/us-china-labour/china-labor-activists-say-facing-unprecedented-intimidation-idUSKBN0KU13V20150121>>
10. “China labor activists say facing unprecedented intimidation” (reported by Alexandra Harney), Reuters, 22nd January 2015. <<https://www.reuters.com/article/us-china-labour/china-labor-activists-say-facing-unprecedented-intimidation-idUSKBN0KU13V20150121>>
11. “China arrests four labor activists amid crackdown: lawyers” (reported by Sui-Lee Wee), Reuters, 10th January 2016. <<https://www.reuters.com/article/us-china-rights/china-arrests-four-activists-amid-crackdown-lawyers-idUSKCN0UO05M20160110>>
12. “揭开“工运之星”光环的背后——番禺打工族文书处理服务部”主任曾飞洋等人涉嫌严重犯罪案件调查” [exposing what was behind the halo of “the star of labour movement” – Panyu Migrant Workers Centre director Zeng Feiyang et al. allegedly involved in serious criminal investigations], 新华网 (*Xinhua News*), 22nd December 2015. <http://www.xinhuanet.com/legal/2015-12/22/c_1117546098.htm>

13. “Around 120,000 Uyghurs detained for political re-education in Xinjiang’s Kashgar prefecture” (reported by Shohret Hoshur, translated by RFA’s Uyghur Service, written in English by Joshua Lipes), *Radio Free Asia*, 22nd January 2018. <<https://www.rfa.org/english/news/uyghur/detentions-01222018171657.html>>

References

- Cheng, Joseph Y.S. (鄭宇碩) (2012). 從中共的施政綱領觀察其人權立場 [the Chinese Communist regime’s human rights position based on its policy programme]. 思與言 [thought and words], Vol. 50, No. 4 (December), pp. 123-157.
- Cheng, Joseph Y.S. and Fan Li (2014). China’s religious freedom movement today. *Journal of Comparative Asian Development*, Vol. 13, No.3 (October), pp. 487-516.
- China Human Rights Lawyers Concern Group (2017). Torture and other cruel, inhuman or degrading treatments in the 709 crackdown – a summary of cases (9 July 2015 – 9 July 2017) (Torture Report on the 709 Crackdown), 9th July 2017. <<http://www.chrlawyers.hk/sites/default/files/20170709%20-%20Torture%20in%20the%20709%20Crackdown%20%28ENG%29.pdf>>
- Gao, Charlotte (2017). Has China really made great progress on human rights? *The Diplomat* (China Power blog), 16th September. <<https://thediplomat.com/2017/09/has-china-really-made-great-progress-on-human-rights/>>.
- He Qinglian (何清涟) (2013). 以毛式铁腕捍卫权贵资本主义——习近平的执政蓝图 (1) [using the Maoist iron fist to defend the power elite capitalism – Xi Jinping’s governance blueprint (1)], *Voice of America*, 15th May. <<https://www.voachinese.com/a/heqinglian-20130514/1661147.html>>
- Human Rights Watch (2017). World Report 2017: China. (Country summary, January 2017.) <https://www.hrw.org/sites/default/files/china_3.pdf>

- Inboden, Rana Siu (2017). Human rights under Xi Jinping. In: Hoo Tiang Boon (ed), *Chinese foreign policy under Xi*. London and New York: Routledge.
- Micklethwait, John and Adrian Wooldridge (2010). *God is back*. London: Penguin.
- Mo Rong (莫荣), Chen Yun (陈云) and Wang Xinyu (汪昕宇) (2018). 2017 年中国就业形势与高校毕业生就业质量报告 [2017 report of China's employment condition and the employment quality of college students after graduation]. In: Li Peilin (李培林), Chen Guangjin (陈光金) and Zhang Yi (张翼) (eds), 2018 年中国社会形势分析与预测 (*Society of China – analysis and forecast (2018)*). Beijing: 社会科学文献出版社 (Social Sciences Academic Press (China)), pp. 40-61.
- Pils, Eva (2015). *China's human rights lawyers – advocacy and resistance*. London and New York: Routledge.
- Ramo, Joshua Cooper (2004). *The Beijing Consensus*. London: The Foreign Policy Centre.
- Rothschild, Viola (2017). The Trump administration doesn't care about human rights in China – here's why they should. *Asia Unbound* blog. New York: Council on Foreign Relations (CFR), 4th October. <<https://www.cfr.org/blog/trump-administration-doesnt-care-about-human-rights-china-heres-why-they-should>>
- Williamson, John (1990). What Washington means by policy reform. In: John Williamson (ed.), *Latin American adjustment: How much has happened?* Washington, D.C: Institute for International Economics, pp. 8-19.
- Worden, Andrea (2017). China pushes 'human rights with Chinese characteristics' at the UN. *Hong Kong Free Press* (Opinion), 14th October. <<https://www.hongkongfp.com/2017/10/14/china-pushes-human-rights-chinese-characteristics-un/>>
- Wu, Guoguang (2010). China in 2009: Muddling through crises. *Asian Survey*, Vol. 50, No. 1 (January/February), pp. 25-39.

Xi Jinping (2017). Secure a decisive victory in building a moderately prosperous society in all respects and strive for the great success of socialism with Chinese characteristics for a new era. (Political report delivered at the 19th National Congress of the Communist Party of China on 18th October 2017). <http://www.xinhuanet.com/english/download/Xi_Jinping's_report_at_19th_CPC_National_Congress.pdf>

Zhang Yi (张翼) and Fan Lei (范雷) (2018). 新时代的中国社会发展 —— 2017~2018 年中国社会形势分析与预测 [China's social development in the new era – analysis and forecast of China's social development, 2017-2018]. In: Li Peilin (李培林), Chen Guangjin (陳光金) and Zhang Yi (張翼) (eds), 2018 年中國社會形勢分析與預測 (*Society of China – analysis and forecast (2018)*). Beijing: 社會科學文獻出版社 (Social Sciences Academic Press (China)), pp. 1-27.

Liu Xiaobo and “Charter 08”: Freedom of Expression and Cultural Relativism

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Abstract

Late Nobel Peace Prize laureate Liu Xiaobo represents the fate of a typical case of a dissident in contemporary China under the Communist regime. The Communist China regime always defends against any criticism of its human rights records, in particular freedom of expression cases like Liu Xiaobo, and brands any such criticism as “interfering with China’s internal affairs” and claims that China is a rule of law country, although what it really means is rule by law under an authoritarian regime but not the Western concept of rule of law. Through looking at Liu Xiaobo’s case and China’s defense of its human rights record with cultural relativist arguments, this article aims at arguing how the Communist China regime fails to address its increasingly significant role in the global community and how the current Chinese regime cannot deny the fact that it is also part of the universalist narrative of human rights concepts as being a core member of international organizations like the United Nations. Therefore, it can only reflect and represent the reality if China can acknowledge the fact that John Rawls’ theory on reflective equilibrium on justice is applicable instead of merely

defending itself with cultural relativism and defying the duty of fulfilling the obligation of being a major player in the international community.

Keywords: *China, censorship, freedom, dissidents*

1. Introduction

Dissidents in contemporary China have been facing various forms of restrictions on freedom of expression – from legal punishment by imprisonment to the censorship of their posts on social media or their messages in chat apps in smartphones to non-legal measures of being “invited to have tea” (*beihecha* / 被喝茶), the euphemism for being informally interrogated and warned, by state security police officers. Depending on how famous and well-connected the activists are, the levels and the means of restrictions can vary greatly.

In the most serious cases, activists in China are sentenced to long-term imprisonment for charges like “subverting state power” and “inciting subversion of state power”. The most famous example was late Nobel Peace Prize laureate Liu Xiaobo (劉曉波), who was sentenced to 11 years imprisonment in 2009. What Liu Xiaobo was accused of was taking part in drafting and signing the “Charter 08”, a blueprint of the outlook of China’s democratic and human rights development inspired by the ideas of the “Charter 77” of the Czech dissidents, including Václav Havel, late writer and former president of Czech Republic. The “Charter 08” was initiated by 303 public intellectuals and eventually signed by over 10,000 people in China and abroad despite it being blocked in China. In the verdict, the charge of “inciting subversion of state power” that Liu Xiaobo was accused of also included six articles he wrote and published in overseas Chinese websites that criticized the Chinese government.

The beginning of the "Charter 08" is a brief description of how universal values like freedom of expression and democracy were introduced to China in late Qing Dynasty and how these values were somehow incorporated in the Nationalist era under Kuomintang and how these values were eventually undermined under the Communist rule through various major political campaigns, including the Great Leap Forward, the Anti-Rightist Campaign, the Cultural Revolution and the Tiananmen crackdown. The document then offers a suggested blueprint for political reform that the authors aspired will lead to China's acceptance and incorporation of universal values like freedom of expression and democracy.¹

Liu Xiaobo and others who drafted the "Charter 08" represented the contemporary Chinese intellectuals who embrace the universal values. They believe these values are compatible with Chinese culture and can be incorporated into Chinese culture. In the foreword of the "Charter 08", the authors wrote: "A hundred years have passed since the writing of China's first constitution. The year 2008 also marks the sixtieth anniversary of the promulgation of the Universal Declaration of Human Rights, the thirtieth anniversary of the appearance of the Democracy Wall in Beijing, and the tenth of China's signing of the International Covenant on Civil and Political Rights. We are approaching the twentieth anniversary of the 1989 Tiananmen massacre of pro-democracy student protesters." These beliefs actually are not new in China. As written in the "Charter 08", people in the Qing Dynasty who strived to see the emergence of a Chinese nation-state like Kang Youwei (康有為) and Liang Qichao (梁啟超) and intellectuals and writers during the Nationalist era like Lu Xun (魯迅) and Hu Shi (胡適) also expressed their aspiration for these universal values. The question is whether these values are entirely alien to pre-modern Chinese culture and whether they only exist in modern China and are represented

differently by different regimes and different intellectuals.

Liu Xiaobo's experience is typical but also one of the extreme examples of restriction of freedom of expression in contemporary China. When he was considered a "black horse" in the Chinese literary circle while being a young scholar in the late 1980s, he experienced the rather open and liberal atmosphere. He could criticize other important writers – those who submitted themselves to the political reformers in the Communist Party and turned silent in certain topics – with very strong-worded comments although his writings still needed to go through the censorship process. He was supportive, although also critical of some its messages, of the pro-democracy movement in 1989, and he spent most of his time at the Tiananmen Square after he decided to return to Beijing while he was a visiting scholar at Columbia University in New York at that time (Béja, 2012). His expressions in his writings in the 1980s were much stronger than the words in the "Charter 08", of which he was one of the drafters, and the six articles, including "The CPC's Dictatorial Patriotism" (《中共的獨裁愛國主義》, 2005) published on websites such as those of *Observe China* and the Chinese edition of the BBC, that he wrote for which he was charged with "inciting subversion of state power" and given the 11-year imprisonment in 2009.² His conviction based on these writings attracted wide criticisms among public intellectuals and activists in China and abroad as well as the international community as it showed a typical example of silencing a dissident by a long prison sentence (Rosenzweig, 2012). However, he was awarded the Nobel Peace Prize, the first for a Chinese citizen, in 2010 when he was still only in the second year of his imprisonment. The treatment Liu Xiaobo received at the end of his life was among the harshest among dissidents in contemporary China. His family and his lawyers were only informed very late when he was diagnosed with late-stage liver cancer in May 2017 and his lawyers decided to make it public

in June 2017. Under pressure, the Chinese government agreed to arrange two medical experts from Germany and the United States to meet with Liu Xiaobo in the hospital. The two experts issued statements after the meeting that Liu Xiaobo expressed his wish to receive medical treatment abroad but the Chinese government did not realise his wish. Liu Xiaobo eventually died in a hospital in Shenyang on 13 July 2017. His body was quickly cremated two days later and the ashes were scattered into the sea near Dalian. His wife Liu Xia (劉霞) was under tight surveillance and was not allowed to meet anyone.

Liu Xiaobo's experience suggests how far the contemporary Chinese regime can do to silence influential dissidents. Disappearances and violence were reported experiences by some survivors of the Cultural Revolution but Liu Xiaobo's treatment was extremely rare and arguably unprecedented in decades after the opening-up policy adopted by Deng Xiaoping (鄧小平) in late 1970s and early 1980s. After the 1989 Tiananmen protests, hundreds and thousands of participants and supporters of the protests were detained, imprisoned or put on the wanted list. In 1998, dozens of founders and participants of the China Democratic Party were detained, imprisoned or put on the wanted list.

2. Liu Xiaobo and Charter 08 – Cultural Relativist Expression of Universal Understanding of Human Rights and Democracy

It is easy for cultural relativists to argue that the universal values of human rights and democracy are Western cultural and philosophical constructs and thus these values are in large culturally irrelevant or only extension of cultural colonialism in the post-colonial contexts. Instead of wholly dismissing the contemporary universal values on human rights developed by the United Nations, of which many of the non-Western countries are also members, we should also look at the fact that many

non-Western countries have signed or ratified many of the UN's international conventions and in some cases they were even heavily involved in co-drafting and voting on the text, thus endorsing and approving the texts of these universal human rights instruments. That should be the way to look at whether universal values on human rights and democracy are really alien to a culture.

"Charter 08" is in fact a cultural relativist expression of these universal values on human rights and democracy. The cultural background of the co-drafters of the charter is important. They are Chinese and predominantly Han Chinese and they all grew up and were educated under the Communist rule in China. They are very familiar with the cultural ideologies of the Communist Chinese regime. If the cultural appropriation of Marxism and Leninism may be arguably part of contemporary Chinese culture, we must argue why Marxism and Leninism, being European and originally alien to Chinese culture, can be justified as part of the contemporary Chinese culture and appropriated into Maoism and other Chinese state leaders' ideologies, while human rights and democracy are consistently branded as foreign and Western concepts that are described by the Communist Chinese regime as unsuitable for the Chinese society.

We should look at the content of the "Charter 08" as opposed to the Constitution of the People's Republic of China as cultural texts, in addition to merely constitutional and legal texts, to see how human rights and democracy are described in these texts, and thus study how these Chinese intellectuals and the Communist Chinese government differentially express their understandings and representation of human rights and democracy, even though they are in the same cultural contexts.

In the foreword of the "Charter 08", the co-drafters gave a brief description of China's contemporary history. They first explained why

they wanted to release the charter in 2008, including the fact that the year marks the centennial anniversary of China's first constitution, when it was still under the rule of the Qing Dynasty, the sixtieth anniversary of the Universal Declaration of Human Rights, the thirtieth anniversary of the Democracy Wall Movement in Beijing and the tenth anniversary of the Communist Chinese regime's signing of the International Covenant on Civil and Political Rights. It also mentioned that it was the year before the twentieth anniversary of the 1989 Tiananmen crackdown on pro-democracy student protesters. It is a brief overview of the human rights development in contemporary Chinese history.

Whilst looking at the preamble of the Constitution of the People's Republic of China, we cannot see anything related to this part of history but the emphasis is on how the Communist Party of China succeeded in leading the Chinese people of all ethnicities (as "nationalities" in the official translation of the text), "under the leadership of the Communist Party of China and the guidance of Marxism-Leninism and Mao Zedong Thought, by upholding truth, correcting errors and surmounting numerous difficulties and hardships." And it also declares in the following line that "China will be in the primary stage of socialism for a long time to come."³ There is a brief mention about the 1911 revolution led by Sun Yat-sen (孫中山 / 孫逸仙) and the establishment of the Republic of China but the emphasis is on following sentence: "But the historic mission of the Chinese people to overthrow imperialism and feudalism remain unaccomplished." The rest of the preamble is all about China's vision to achieve this goal by the Communist Party. The General Principles come next as Chapter One of the Constitution with Article 1 declaring: "The People's Republic of China is a socialist state under the people's democratic dictatorship led by the working class and based on the alliance of workers and peasants. The socialist system is the basic system of the People's Republic of China. Disruption of the socialist

system by any organization or individual is prohibited.” Again, the emphasis is on the power of the Communist Party, regardless of arguably how representative workers and peasants are still in the party. The rights of citizens only come in Chapter Two of the Constitution, although with a lot of restrictions. The last clause of Article 33, the first article in the chapter, makes it clear: “Every citizen is entitled to the rights and at the same time must perform the duties prescribed by the Constitution and other laws.” It sets the condition of the protection of individual rights, that is to perform the duties set out by the Communist regime, while there is no mention of anything restricting the power of the Communist Party in the Constitution. Then, individual rights like voting rights, freedom of expression, freedom of religious belief and so on are all bound by this precondition.

In contrast, the fundamental principles of freedom and human rights are immediately described and explained in detail after the foreword, which depicts the contemporary Chinese history, in the Charter 08. After stating the basic freedoms, including freedom of speech, as protected in international human rights standards, it says: “Without freedom, China will always remain far from civilized ideals.” On human rights, it says: “Human rights are not bestowed by a state. Every person is born with inherent rights to dignity and freedom. The government exists for the protection of the human rights of its citizens. The exercise of state power must be authorized by the people. The succession of political disasters in China’s recent history is a direct consequence of the ruling regime’s disregard for human rights.”

As mentioned above, the co-drafters of the Charter 08 are Chinese intellectuals who are familiar with contemporary Chinese culture and history as demonstrated in the description of the historical events in contemporary China in the foreword of the charter. They pointed out why universal values of human rights and freedoms are significant to the

development of the contemporary Chinese society. No matter if people would agree with all the points covered in the charter, we cannot deny the fact that it is incorrect to simply blankly to state that universal values of human rights and freedoms, including freedom of expression, are merely Western constructs, unless we also would not consider Marxism and Leninism – which is stated as core values in the preamble of the Constitution of the People's Republic of China – as Western constructs, and thus not relevant to contemporary Chinese culture and society. The Charter 08 also discusses other values, such as democracy and federalism, in the text but I would not go into details in the discussion of those values as the focus of this paper is on the cultural relevance of freedoms and human rights.

3. Cultural Relativism vs Universalism of Human Rights

The debates on cultural relativism and universalism of human rights have never stopped since the Universal Declaration of Human Rights (UDHR) was discussed and adopted by the United Nations in 1948. The emphasis on individual rights in the UDHR is the usual point of debate on whether international human rights instruments like the UDHR and the two major covenants – the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) – are Western constructs and thus not culturally applicable to non-Western countries.⁴

However, although it is undeniable that there is cultural relativity in studying a broad range of topics, basic moral judgements should be universal based on principled and self-interested actions in addition to Kant's categorical imperative while there is a continuum on both extremes of cultural relativism and universalism.⁵ It is too simplistic to say that these international conventions and other international human

rights standards are only Western concepts and that they are only relevant to Western democracies. Instead, they are the cultural and ethical constructs that have been built on discussions, negotiations and power struggles among the states participating in the UN mechanisms and other international platforms.

4. Freedom of Expression of Political Speech: Universalist or Cultural Relativist?

Is justice impossible under political imbalance and in the case of freedom of expression and in cases like Liu Xiaobo? Contemporary theories of justice focus on whether justice can be achieved at all as deconstructive theorists, for instance, have argued for the impossibility of achieving justice (Balkin, 1994). Is it at all possible to achieve justice in Liu Xiaobo's case and numerous other cases of dissidents and human rights defenders? It is something that I argue in this paper that cultural relativism on human rights is largely a denial of the fact that all countries are nowadays much more global and connected thanks to technology comparing with the time when major international human rights instruments, such as the ICCPR and ICESCR, were drafted and adopted. Are the Kantian thoughts on moral rights and John Rawls' theory of justice relevant in the contemporary Chinese context under the global context? I would argue that due to the global context of increasing globalism and diminishing emphasis on nationalism, it is thus more difficult to justify rejecting some universal values, such as fundamental human rights, that are agreed on by states through international institutions, such as the United Nations, while accepting some other universal values, such as international practice on trade and commerce, which China comparatively accept. Unless, some states, like China, can justify why they can be part of the global community while adopting the

double-standards of accepting some universal values, such as international trade and commercial practices, while rejecting other universal values, such as human rights, but building their own narratives of these values.

As John Rawls argues in his theory of justice, individuals' rights should not be sacrificed in the excuse of protecting public good: "Each person possesses an inviolability founded on justice that even the welfare of the society cannot override. For this reason justice denies that the loss of freedom for some is made right by a greater good shared by others. It does not allow that the sacrifices imposed on a few are outweighed by the larger sum of advantages enjoyed by many. Therefore in a just society the liberties of equal citizenship are taken as settled; the rights secured by justice are not subject to political bargaining or the calculus of social interests." (Rawls, 1971, rev. 2003: 3-4) In the context of contemporary China, even if the Communist Party regime would try to justify the detention of certain individuals, such as Liu Xiaobo and many other Han Chinese dissidents and numerous Uighurs and Tibetans and other ethnic minorities, it still owes an answer to why these individuals have been picked as targets of detention based on the vaguely defined charges that are obviously restricting freedom of expression, such as "subverting state power", "inciting subversion of state power", "separatism" or "inciting separatism". What justice can be done to these individuals when they are punished for simply expressing their views without any concrete evidence of doing any harm to the society? If what they have done can be construed as doing any harm to the society, such harm could have been manifested in the society even after they have been detained and sentenced to long imprisonment. However, we have never seen any concrete and credible evidence of such, if any, produced by the Communist Chinese government for detaining these individuals.

Cultural relativism is often built on the concept of hegemony and thus as a defensive response to universalism, which is often regarded as Western-dominated (Prasad, 2007). As China has become a world power, it is questionable how this defense for cultural relativism with regard to human rights, in particular freedom of expression of political speech, can still be justified. With China's increasing capital and influence in Africa and Latin America, the power relations in the international community have shifted from only domination by the US and other Western countries.

Not all forms of speech are accepted to be protected under the international law on freedom of speech. In addition to article 19 of the ICCPR which ensures the protection of freedom of speech, the international community also formulated other major universal principles, such as "The Johannesburg Principles on National Security, Freedom of Expression and Access to Information", which justify certain restriction of speech in relation to the protection of national security, but as it is stated in principle 1(d) of the "Johannesburg Principles": "No restriction on freedom of expression or information on the ground of national security may be imposed unless the Government can demonstrate that the restriction is prescribed by law and is necessary in a democratic society to protect a legitimate national security interest. 2/ The burden of demonstrating the validity of the restriction rests with the Government."⁶

The attempt of this article is not to diminish the importance of cultural relevance with regard to all human rights. In fact, we can find examples of advocating freedom of expression in the long period before the establishment of China the nation-state when some comparatively liberal emperors in some dynasties were open enough to accept criticisms by their officials and there was even the title of *jianguan* (諫官) for such officials whose designated job was to give advice and

criticism to the emperor, although some eventually risked their lives to give comments that the emperors actually did not want to hear. In other cultures, such as African countries, there are also issues of authority and the existence of entitlements in traditional society (Penna and Campbell, 1998).

When Liu Xiaobo was detained in 2008 and sentenced in 2009, it was during the time under the leadership of President Hu Jintao (胡錦濤) and Premier Wen Jiabao (溫家寶). The major propaganda on social stability of the time was to "build a harmonious society" (建構和諧社會). Following imperialist tradition to emphasize the dual moralism of Confucianism (*rujia* / 儒家) and Legalism (*fajia* / 法家), the Communist leaders tried to claim how "harmony" (*hexie* / 和諧) and moral virtues and obligation of propriety (*li* / 禮) can maintain social harmony and stability over individual choices. By drawing on Derk Bodde and Clarence Morris' studies on Confucianism and Legalism in China's imperial tradition, Eva Pils points out that "Confucian tradition provides a conceptual repertoire for moral constraints on power-holders, as well as for (limited) criticism of the government, without calling for any of the liberal mechanisms of good governance associated with the concept of rights. The legalist tradition was juxtaposed with this as it took a more favourable view of using law as a primary tool of political governance while emphasizing the importance of law applying equally to all." (Pils, 2018: 41)

5. Defense of Utilitarianism as a Form of Universalism

One of cultural relativists' arguments is based on the concept of utilitarianism in the simplest form as a form of universalism against the human-rights-based universalism. However, such arguments do not put separateness of persons as the important nature of human rights law

(Mullender, 2003). While it may be true that not all human rights are necessarily universal depending on the cultural contexts, the protection of some basic human rights should not be questionable in any cultural context, such as freedom from torture or other ill-treatment, arbitrary detention and enforced disappearances. Freedom of expression may be subject to different cultural contexts but the freedom of political speech should be dealt with as a specific form of freedom of expression and should not be regarded as culturally relativist. Political speech should not be a basis of detaining any individuals, regardless of any cultural contexts, especially when it does not promote any violence, as it can easily end up in miscarriage of justice and abuse of power by detaining the individuals for what they have expressed. Therefore, this essay's argument is closer to John Rawls' idea of "reflective equilibrium" while also acknowledging that it is inevitable to see there is a dichotomy of top-down and bottom-up understanding of rankings of human rights.

6. Human Rights as Concepts Based on Western Philosophies

The usual defense China uses to not emphasize individual rights like freedom of expression is that China is a rule of law country. However, China's definition of rule of law and justice by the Communist Party regime is in fact rule by law under authoritarianism. In order to legitimize their rule, the Communist regime keeps rejecting criticisms of its human rights records, in particular treatment of human rights defenders and dissidents like Liu Xiaobo, as interference of China's internal affairs by Western countries.

The usual arguments questioning the universality of human rights include the fact that the concept of "human rights" was developed from natural law, developed from Roman and Greek philosophies, and the ideas of the negative proposition of "freedom from" and positive

proposition of "right to" following the Western philosophical traditions of promoting civil and political rights resulting from the French, English and American revolutions in the 18th century and the rise of socialist thoughts on economic and social rights as a result of the exploitation in relation to capitalism in the 19th and 20th centuries. Solidarity rights came as the third generation of rights (O'Sullivan, 1998). China, although it was the Republic of China at that time, was among the states, members of the United Nations, that signed and endorsed the Universal Declaration of Human Rights in 1948. In addition, China is one of the five Permanent Members of the United Nations Security Council. With its strong commitment in the United Nations, it is questionable how double-standards could be applied when it is put under scrutiny of its human rights records by claiming its cultural relativist approach on human rights when it also takes parts in the United Nations to scrutinize the human rights records of other states with the universal international standards applied to all state parties in the United Nations.

It is not only authoritarian regimes like China who would challenge the concept of universality of human rights but some academics have also tried to argue that the universality of human rights could be easily dismissed as concepts developed from liberal and Western philosophies, in particular developing from the texts like the American Declaration of Independence of 1776 or the French Declaration of the Rights of Man and of the Citizen of 1789 or other contemporary international human rights documents (Brown, 1997). However, many aspects have been ignored in such arguments, such as whether certain rights have also existed in many non-Western cultures even before these international texts existed. The defense of defying the requirements based on critiquing the universality of the contemporary human rights documents and concepts derived from these texts are simply false statements and against what John Rawls described as "justice as fairness". By joining

the United Nations, whether as a pragmatic need or a social ideal, the governments which are members of the United Nations and signatories of the UN's international conventions and other human rights agreements have entered a social contract.

There is no coercion in signing or ratifying an international convention. China signed the International Convention on Civil and Political Rights in 1998 but has not yet ratified it despite repeatedly claiming to be making conditions to be ready to ratify it. There is no consequence for not ratifying the convention or any other convention. The practice is to complete a voluntary decision by the states. Joining and signing these international conventions are an international agreement that is what John Rawls described as the idea of “reflective equilibrium” as the states take part in debating the content of the conventions, approving the content and then having the options of signing and ratifying the conventions. The states can even make reservations on certain parts of a particular convention when they decide to ratify it. Therefore, the cultural relativist arguments against these international human rights law frameworks have largely ignored these aspects. States have agreed with the social contract of complying with the universal values and the requirements stated in the texts of these international human rights conventions when they approve the texts at the United Nations and when they signed and ratified them.

7. Conclusion

Liu Xiaobo and other public intellectuals who initiated the “Charter 08” simply exercised their right to freedom of expression that is enshrined in China's Constitution and also the ICCPR which China signed but still has not yet ratified. Therefore, Liu Xiaobo and the “Charter 08” did not express something outside the boundary of what is written in these

domestic and international legal and human rights obligations that China agrees to and adopts. Freedom of expression is not something alien to contemporary Chinese culture, it is recognized even in the narrative of the Communist regime. Freedom of expression should not be considered a foreign concept, and suppression of freedom of expression and dissent cannot be justified with the cultural relativist arguments, especially that modern states, including China, participate in drafting and endorsing the social contract of international human rights conventions and international law that protect the universal concept of freedom of expression.

Notes

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- 1. Translation of the "Charter 08" by US sinologist Perry Link published in *The New York Review of Books* on 15 January 2009: <<http://www.nybooks.com/articles/2009/01/15/chinas-charter-08/>>.
- 2. Translation of Liu Xiaobo's lawyers' Defense Statement by Human Rights in China, 9 April 2010, available at <<https://www.hrichina.org/en/content/3206>>.
- 3. Translation of the People's Republic of China's Constitution by China's National People's Congress: <http://www.npc.gov.cn/englishnpc/Constitution/node_2825.htm>; See also *NPC Observer's* unofficial translation of the

amended Constitution in 2018 with addition about scrapping the restrictions on two terms of presidency: <<https://npcobserver.com/2018/03/11/translation-2018-amendment-to-the-p-r-c-constitution/>>.

4. Nhina Le (2016) discusses the geopolitical and historically political situations that lead to dominant interpretations of the rights in the international human rights instruments among Western and non-Western countries.
5. As argued by Jack Donnelly (1984) on the concepts of cultural relativism and universalism.
6. “The Johannesburg Principles on National Security, Freedom of Expression and Access to Information”, UN Doc. E/CN.4/1996/39, available at <<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G96/118/04/PDF/G9611804.pdf?OpenElement>>; <<https://www.article19.org/data/files/pdfs/standards/joburgprinciples.pdf>>.

References

- Balkin, J.M. (1994). Being just with deconstruction. *Social & Legal Studies*, Vol. 3, Issue 3, September, pp. 393-404.
- Béja, Jean-Philippe (2012). Is jail the only place where one can “live in truth”? : Liu Xiaobo’s experience. In: Jean-Philippe Béja, Fu Hualing and Eva Pils (eds), *Liu Xiaobo, Charter 08 and the challenges of political reform in China*. Hong Kong: Hong Kong University Press, pp. 15-30.
- Brown, Chris (1997). Universal human rights: A critique. *The International Journal of Human Rights*, Vol. 1, Issue 2, pp. 41-65.
- Donnelly, Jack (1984). Cultural relativism and universal human rights. *Human Rights Quarterly*, Vol. 6, No. 4, November, pp. 400-419.
- Mullender, Richard (2003). Human rights: Universalism and cultural relativism. *Critical Review of International Social and Political Philosophy*, Vol. 6, Issue 3, pp. 70-103.

- Le, Nhina (2016). Are human rights universal or culturally relative? *Peace Review: A Journal of Social Justice*, Vol. 28, Issue 2, pp. 203-211.
- O'Sullivan, Declan (1998). The history of human rights across the regions: Universalism vs cultural relativism. *The International Journal of Human Rights*, Vol. 2, Issue 3, pp. 22-48.
- Penna, David R. and Patricia J, Campbell (1998). Human rights and culture: Beyond universality and relativism. *Third World Quarterly*, Vol. 19, Issue 1, pp. 7-27.
- Pils, Eva (2018). *Human rights in China: A social practice in the shadows of authoritarianism*. Cambridge (UK) and Medford, MA: Polity Press.
- Prasad, Ajnesh (2007). Cultural Relativism in Human Rights Discourse. *Peace Review: A Journal of Social Justice*, Vol. 19, Issue 4, pp. 589-596.
- Rawls, John (1971, revised in 2003). *A theory of justice*. Cambridge, MA: Harvard University Press.
- Rosenzweig, Joshua (2012). The sky is falling: Inciting subversion and the defense of Liu Xiaobo. In: Jean-Philippe Béja, Fu Hualing and Eva Pils (eds), *Liu Xiaobo, Charter 08 and the challenges of political reform in China*. Hong Kong: Hong Kong University Press, pp. 31-60.

Xi Jinping's Religious Freedom Policy vs Human Rights

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Abstract

The People's Republic of China has signed to accept the Charter of the United Nations and the Universal Declaration of Human Rights which include freedom in religious expression. Yet the control and suppression of religion has been carried on all the same since Mao Zedong to Xi Jinping according to the political climate. This paper aims at discussing the paradigm shift of religious freedom from the universal understanding to the "Chinese characteristics" under Xi Jinping's rule with his launching of regulations and laws on tightening the control of religions in the name of national security.

Keywords: *religious freedom, Religious Freedom Policy, human rights, national security, United Front Policy, religious suppression, control of religions*

1. Introduction

Human right has been a universal value in the modern West. Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination.¹ Charter of the United Nations and the Universal Declaration of Human Rights, adopted by the General Assembly in 1945 and 1948, are international laws on protecting human rights. The People's Republic of China (PRC) is one of the 5 permanent members of the Security Council, and it has the obligation to observe the UN's Charter on human rights in which freedom of religion is an important element concerning freedom of expression. However, beginning from the Maoist Era up to Xi Jinping (习近平)'s rule, "religious freedom policy" has been employed by the Chinese Communist Party (CCP) for more than half a century accompanied by various degrees of controlling of religions according to the current political climate. Today religious control has been tightened up, yet China declares to the world in its white paper (2018) "White Paper on China's Protection of Religious Freedom Policy and Implementation"² that religious freedom prevails. This paper provides ample examples to prove that Xi Jinping's reign on the one hand declares religious freedom policy while on the other hand tightens up the control of religions.

2. Religious Freedom Policy: The Foundation of Religious Policy of Communist China

As early as in the 1950s, when the Chinese Communist Party (CCP) first came to power, its head of United Front (*tongyi zhanxian* / 統一戰線),

Li Weihan (李維漢) proposed the Religious Freedom Policy to Mao Zedong (毛澤東).³

In 1958 Li Weihan presented a sophisticated and comprehensive interpretation of the Religious Freedom Policy which has been carried on for the last few decades until today with continuity within the Party from Mao to Xi Jinping but with some changes and variety in implementations and applications depending on the socio-political landscape of that time. Thus forms the basis of the CCP approach to religious matters from 1950s until today, the interpretation of the policy resulting in relaxing or tightening up of the control depends on the political climate of various periods of time.⁴ The definitions of the Religious Freedom Policy of Li Weihan were as follows:

Every citizen has the freedom to believe in religion, and also the freedom not to believe in religion. Within a particular religion, every citizen has the freedom to believe in this sect or that sect. A person who was previously a non-believer has the freedom to become a religious believer, and one who has been a religious believer has the freedom to become a non-believer.⁵

China under the United Front Policy has to show to the world that freedom of religion prevails. On the surface, it looks like as if this policy has little difference from religious policy in the West which allows freedom in every aspect of religion. However with the implementation of this religious policy as a slogan launched by the CCP its final goal as expressed clearly by Li Weihan to its cadres within the Party was the extinction or disappearance of religion.⁶ He remarked:

The religious freedom policy is a revolutionary slogan ... If we thoroughly implement this slogan, believers will gradually change

from believing in religion towards non-believing. In short, the religious freedom policy is our Party's basic policy towards religion. We can adopt only this policy, not any other policy.⁷

In Mao's era, the purges of religion amidst various political campaigns aimed at the immediate extinction of religion, according to Li's religious freedom policy. However, in the post-Mao period with the relaxation of social control for the sake of modernization and nation-building, religions began to revive. Thus the director of the Bureau of Religious Affairs (1995-2009), Ye Xiaowen (葉小文), issued some documents to re-interpret the Religious Freedom Policy. These documents that followed the Party line closely also aimed at the elimination of religious influence within the socialistic regime and the gradual withering of religion⁸.

In fact this so called "Religious Freedom Policy" offers tremendous difference in standard of freedom in religious matters comparing to that of the Western world. The CCP and the state with skilful interpretations of this policy could monitor religions under Marxism-Leninism and Mao Zedong Thought while channelling religions to serve the Party's purpose according to the current policy of the United Front (Leung, 2005).

In the post-Mao era, in 1982 the Document No. 19 (hereafter the Document 19), a comprehensive religious document, was issued according to the existesting situation of the reform era. This became the new guideline for the religious freedom policy in Deng Xiaoping's era. Its intention was similar to that which underlay Li Weiham's formulation 30 years previously: "The basic policy of the Party towards religion is a long-term policy and one which must be carried out until religion totally disappears." (MacInnis, 1989: 19-26) In this document, guidance in managing religious organization, worshipping place, religious personnel, as well as the formation of religious personnel, the return of religious

property, the relationship between religion and the state were outlined. It seemed that religions began to rejuvenate within the orbit set by the CCP. In Jiang Zemin (江澤民) era, some religious rules and regulations were added to eliminate the religious activities of foreigners and their links with local religious groups while keeping under surveillance grassroots religious activities by demanding religious churches and temples to be registered.⁹

3. Three Sets of Documents Concerning religion in Xi Jinping Era

In Hu Jintao (胡錦濤) period when China experienced vigorous economic growth and complexity of social problems, the government felt the need of formulating a set of more comprehensive religious laws other than the Document 19 to manage religious activities by law. This was with the intention to follow closely the Party's religious freedom policy in the new period with more international contacts and socio-economic transactions. The aim of setting up a new religious law was to offer a systematic but detailed rules to manage every aspect of religious life with legal bindings. Thus the States Council on 30 November 2004 passed Law no. 426 which was a set of laws on religious affairs called *zongjiao shiwu tiaoli* (宗教事務條例, Religious Law 2004). After launching this religious law for less than 10 years, amendment was considered due to new situations and new socio-political environment of Xi Jinping era. Thus, the State Council in its 176th Meeting on 14 June 2017 launched the revised version of the Religious Affairs Regulations (*xiuding zongjiao shiwu tiaoli* / 修訂宗教事務條例, revised Religious Law 2017). The revised version was based on the Religious Law 2004 but with more sophisticated control and monitor to the very detailed degree. Through the revised Religious Law the Party sets a smaller frame for religious activities while it extends its firmer control into

religious matters.

On 6 May 2014, the Chinese government launched a report on national security called “The Blue Paper on National Security: A report on the National Security 2014” (中國國家安全研究報告, *Blue Book of National Security*)¹⁰. In this report the government admitted that the national security has been encountering great challenge, and the security in religious matters should be included into ideological security which comes under national security. Thus in the same report suggestions were made to impose more control on religious matters to assure national security (*Blue Book of National Security 2014*, pp. 2-5). This report on national security offered extra reasons for Xi Jinping’s administration to impose tighter control on Islam, Tibetan Buddhism, Protestant and Catholic Church and Daoism, the five sectors of religions which have government approval with a tradition to be managed by the government with religious bureaux under the Bureau of Religious Affairs of the State Council (國務院宗教事務局). Later in the 19th Party Congress, in October 2017, Xi announced a new policy of emphasising the leadership of the Communist Party in the political life of China. Thus, the Religious Affairs Bureau was transferred to the United Front Department of the Communist Party which means that the atheist CCP would directly manage religious affairs in the future.¹¹

On 3 April 2018, the Press Office of the State Council issued the third document which was the “White Paper on China’s Protection of Religious Freedom Policy and Implementation” (*Zhongguo baozhang zongjiao xinyang ziyou de zhengce he shijian* / 《中国保障宗教信仰自由的政策和实践》).¹² When religious questions have been uplifted to the national security level it is understandable to have tight control on religions, their activities and personnel. However to comply with the United Front Policy the CCP had to launch the White Paper which aimed at whitewashing the religious freedom in Xi’s era. The main readership

of the White Paper is mainly the outsiders whose interpretation of religious freedom is different from that of the CCP and who have little information on the persecution of religion within the Chinese boundary when religious issues were not allowed to be reported in the media. That is why even political commentators in Hong Kong had strong criticism on the White Paper when it took control and monitor on religious affairs as religious management. In the whole document twisted reasons were employed to beautify religious control as offering protection to religion. In the White Paper it stated that the idea of religious freedom prevails in China but in reality no religious freedom exists under the pretext of state security. With sinicization as the state policy, the Paper whitewashes the state policy by demanding idealism of religious belief to function for the interest of atheist Marxism-Leninism and Mao Zedong Thought.¹³

On 22-23 April 2016 a conference on religion was held in Beijing. The meeting was attended by nearly all the high officials in the Steering Committee of Politburo including Yu Zhengsheng (俞正聲), Liu Yunshan (劉雲山) and Wang Qishan (王岐山), except Zhang Dejiang (張德江) who was travelling abroad. Chinese premier Li Keqiang (李克強) presided over the two-day meeting. It reflected the importance of the conference in which the President's speech would be the main focus of attention of the whole event. Xi Jinping addressed the meeting by calling for the improvement of religious work. He followed the CCP's traditional policy of religious freedom with new emphasis. He called for managing religious affairs in line with laws, to retain the principle of religious independence and self-administration, and to help religions adapt to the socialist society. Religious groups, meanwhile, must adhere to the leadership of the CCP, and support the socialist system and socialism with Chinese characteristics.¹⁴ Xi also reminded that one of the important aspects of religious work is to block the foreign infiltration in religious matters.¹⁵ In the same speech Xi reminded the

participants that religious leaders must merge religious doctrines with Chinese culture, abide by Chinese laws and regulations, and devote themselves to China's reform and opening up drive and socialist modernization in order to contribute to the realization of the Chinese dream of national rejuvenation.¹⁶ On the next day (24 April 2016), the editorial of *People's Daily* echoed Xi's policy by mobilizing religion for national and Party development, and the importance of national monitoring of religions to achieve the objective of religious management with Chinese characteristics.¹⁷

On 1st February 2018, the Religious Affair Bureau issued a document titled *Zongjiao shiwu bufen xingzheng xuke xiangmu shishi banfa* (《宗教事務部分行政許可項目實施辦法》, "Methods of implementing some items in Religious Law 2017")¹⁸ (Implementing Religious Laws) to launch the ways and means of implementing some items listed in the Religious Law 2017. In fact all the regulations listed in the document are the set-ups and activities which need the approval from the Party/government to be in practice. In the process of implementation, it means every aspect of religious life is under the surveillance of the Party whose approval or rejection would be given along the party line of eliminating the influence of religion in the socialistic regime.¹⁹ Take section II for example. This section concerns the "approval of religious education". Not only the venue of religious education needs to get approval, but also the teaching staff have to be approved and the Religious Affair Bureau has the final say or the veto power on inviting teaching staff both locally or from abroad. In section III, building big religious statues within the religious compound but in open air has to go through application to the civil authorities under strict regulations. The approval would be given after a study report made by the civil authorities and the residents of that area. Section V is on the approval of holding large-scale religious activities. Application should

be made 30 days before to the Public Security Office and details should be given such as number of participants, venue, number of clergy, duration, and nature of the activities. Nearly all the activities listed in the document need state approval before operation can go ahead. To obtain approval from the civil authority means the latter can exercise final control on the launching of religious activities.

After the 19th Party Congress, the Religious Affairs Bureau has been transferred from the state system (the State Council) to the Party system under the leadership of the United Front Department. All the religious affairs including administration and activities have to be supervised and approved by atheists with Marxist-Leninist plus Mao Zedong Thought. One can anticipate that the control of religions would be tightened more than before.

In the July 2017 issue of *Qiushi* (《求是》), the CCP's official magazine, the director of the National Bureau of Religious Affairs Wang Zuoan (王作安) wrote an article, "Zuohao zongjiao gongzuo bixu jiang zhengzhi" (〈做好宗教工作必須講政治〉) [politics is indispensable in good work on religions], as the strategical directive to implement the new state policy on religious affairs announced by Xi Jinping in April 2016 (Wang, 2017). Politics was not only the undertone of Xi's speech on religious matters as expressed in the religious conference held on 22-23 April 2016. On the other occasion, Xi told the government officials that politics is the assurance of the health of CCP. The high-ranking cadres had to uplift their political capacity, affirm the political ideal and correctly gear the political direction, observe the political rule, and to coincide with the Party Central. He also requested high-ranking cadres to resolve thorny questions as the cutting edge.²⁰

As the high-ranking cadre in Xi's bureaucracy, Wang Zuoan, the new director of religious Affairs Bureau after Ye Xiaowen, has to realize Xi Jinping's orientation in public administration on political issues;

naturally he tries to echo Xi's new outlook on religion by stating that that politics is the central theme of religious work. In the whole article written by Wang in discussing religious matters in the context of politics within four aspects, he takes political consciousness as the first step to remind people that religion is a political issue when foreigners intensively make use of religion to infiltrate China, and religious extremism prevails in some areas within the boundary. Religious networks challenges religious regulations of the state. The second aspect in Wang's discussion is religious rules. Wang insists on the implementation of religious policy of the Central Government without excuses. All the religious practices should not step on the red line and challenge the Party/government. The third aspect is religious orientation/direction which directly points at Xi's sinicization of religion. He suggests that religion should adjust itself to the orientation of socialism. The last aspect is the political responsibility which requests the cadre to attack and resolve thorny religious issues as a cutting edge to enable the further step marching towards religious freedom policy. (Xing, 2018: 7-22)

In July in the annual meeting of Chinese Bishops Conference and the annual meeting of Chinese Catholic Patriotic Association, an agenda was prepared on the evaluation of the curriculum and pedagogy of Catholic education in theologates and seminaries that have to be compatible with the demand of the government. Therefore criticism aroused that the Chinese Catholic Church had been subjected to meddling by the CCP and had been poisoned by it.²¹

With tightening control on non-conformists, ideologies including religious matters are totally controlled even though most of the actions are against human rights. Due to the economic success of PRC, China does not care about international criticism in its violation of human rights such as the persecution of the blind lawyer Chen Guangcheng

(陳光誠) who specialized on human right cases. The inhuman treatment of the Nobel Prize Winner Liu Xiaobo (劉曉波) in prison and the house arrest of his wife Liu Xia (劉霞) were criticized by international communities but Beijing had turned a deaf ear to it. On 9 July 2015, China arrested more than 200 human right lawyers who specialized in protecting the rights of suppressed sectors such as migrant workers, victims of land snatch, underground Christians, and people who have been abused by China's party-dominated legal system, and imposed heavy punishment on many of them. In the whole country there are about 300 of this kind of human right lawyers (Lam, 2018). Within one week 2/3 of them who had defended sensitive cases related to religion and politics were put behind bars. It was because with the purpose to warn the monkey by killing the rooster indirectly warning the rest of lawyers to keep human right cases at an arm's length.²² Since the launching of Open Door Policy, the Women's Legal Counseling and Service Center in Beijing had been functioning for the last 20 years. This is an NGO institute. In January 2016 this legal service centre was asked to close and terminate its business. The staff of this legal service centre believed that the closing decision was made by the top leaders of Beijing.²³

In the West, people are eager to have trading relations with China, therefore in meetings of high officials and even top leaders the issue of human rights is seldom in the agenda for discussion. For example, in the first meeting of President Donald Trump with Xi Jinping the issue of human rights was not in the agenda.

In religious arena, the demolition of more than one thousand crosses on top of buildings in Zhejiang Province starting in 2013, even with international criticism the demolition was not only carrying on in that province but spread to other provinces including Jiangxi and Shandong, as well as the city of Xiamen (廈門). Starting from 2014 the demolition

of the churches which were not registered was reported. Some of them were pulled down with explosives.²⁴ In 2015 in Zhejiang Province the religious persecution against Christians (both Catholics and Protestants) were so intensified beyond people first thought of.²⁵

The government not only pays no attention to the international criticism on demolition of crosses on housetops, on the contrary it awarded Xia Baolong (夏寶龍), the Zhejiang Province Party Secretary for his three years' successful endeavor in cross-demolition. In 2017 Xia was promoted to be the vice-director of the Committee of Resources and Environmental Protection in the National People's Congress. In 2018, he was further promoted to be the Secretary General of the Chinese People's Political Consultative Conference (CPPCC). This is a very important post which allows the post-holder to play the role of a big steward overseeing the comprehensive deployment of the CPPCC.²⁶ This is a very typical example of affirming the deeds of a cadre who successfully implemented the central government's Religious Freedom Policy according to the Party's interpretation.

In the northwest region, Christians are asked to take down the image of Jesus Christ and replace it with the image of Xi Jinping by the order of cadres who tell the people that Jesus is not the saviour but Xi Jinping is.²⁷ To honour Xi Jinping as the only saviour is a further step of placing religion and other ideological affairs under the Party control. This move is aimed to honour the top political leader as the supreme leader of a dictatorial regime.

Under the Xi Jinping administration, the intensification of religious restriction was launched in many areas. For example, in Document 19 it is stated that "We Communists are atheists. We must be unremitting in propagating atheism ... It will be absolutely forbidden to force anyone to become a member of a church or to go to temples and monasteries to study scripture especially if they are under 18 of age." (Document 19

Section IV) Since the promulgation of this major document on religion in 1982 to deal with religious affairs in the modernization period of Deng Xiaoping, even though relaxation of control of religions was uplifted, yet some strategies were still firmly held by the CCP. Many religious believers just ignored the above regulations listed in Document 19, following the subculture of ignoring the unreasonable rules or commands and having ways to counter the policy from above: *shang you zhengce, xia you duice* (上有政策, 下有對策). In Xi's time, these practices have been vigorously eliminated to the very extreme degree. For example, an official warning was given to all cadres of all levels that they were not allowed to be religious believers. In Ningxia province a notice was given to the public asking them to observe national regulations on religious life; otherwise there will be serious consequences. Identity cards were issued to priests of the open sector of the Christian churches to allow them to say the Holy Mass in public. Those priests and pastors in the underground church and family churches without identity card were arrested with legal reasons, if they dare to say mass even in private houses.

The Bible in the previous years could not be found in bookstores on the high streets such as Xinhua Book Store, but it could be purchased in churches and in popular on-line shops like Amazon and Taobao (淘寶). Since recently, the Bible is not to be sold in China with the pretext that the Bible has not obtained the International Standard Book Number, ISBN²⁸. It is taken by China with the excuse that it is an illegal publication and should be banned. However, it was reported that the Protestant Church received order from the government to compile new annotations of the Bible according to the state policy of sinicization of religion.²⁹ The Catholic Church received the same order of annotating the Bible. For the Chinese Catholic the work is not difficult. It was because in the 1980s in Latin America the Pastoral Bible was annotated

according to the Liberation Theology which has been coloured with the Marxist approach of socialism. The translation of the Chinese Pastoral Bible, known as *Muling Shengjing* (牧靈聖經) was successfully achieved.

The first version of *Muling Shengjing* was published in Hong Kong in 1998. It aroused criticism because of its socialist annotations and problematic translation of some of the text. Two years later it was also printed in Mainland China, with simplified characters. This translation was based on the Spanish *La Biblia Latinoamericana*, by Father Bernardo Hurault and published in the 1970s in South America. The aim of this Spanish version was that of writing an accessible text for the less educated faithful with pastoral notes to make the biblical contents easier to understand but with socialist if not Marxist approach in annotations. It went to the public in the Latin America after the Liberation Theology was banned with the hope to rescue the mass Catholic transference to other denomination of Christianity.

The 1998 edition of the Chinese Pastoral Bible was soon revised to be republished due to negative criticism, but in 2006 a completely new translation project was undertaken. However the Pastoral Bible does not attract readers in Hong Kong, Macau and among the oversea Chinese. However, this was accomplished in 2014 when the volume of the New Testament was published by the Claretian Press (樂仁出版社) in Macau.

The stock of translated Chinese version of the Pastoral Bible was in the warehouse because it was not popular among Chinese Catholics outside China. The Hong Kong Catholics opposed this version of the Bible strongly partly because they were not used to the multiple versions of translation of the Holy Bible. Secondly the Marxist annotation was not the cup of tea for them. With some pro-China missionaries working in Beijing, the Chinese version of the Pastoral Bible with the Marxist

annotation can easily be promoted.³⁰

According to *People's Daily*, Beijing plans to demolish 40 million square metres of “illegal” structures in the city. Many are the homes and shops of low-income migrants who are engaged in the difficult, dirty and sometimes dangerous work that the city’s permanent resident will not do. These migrant workers, having fueled their nation’s dramatic economic rise, toiling in jobs far from home, are now finding themselves increasingly unwelcome as authorities try to cap the population explosions in key cities.³¹ The eviction revealed some clandestine pastoral work in this cohort of low-profile internal migrants, some of whom are Christians and Catholics. They have migrated to Beijing from their Catholic villages in Hebei Province and other provinces to work as manual labour in constructing high buildings of the city and domestic workers in the middle-class households. Urban industries like construction, domestic work and sanitation are mostly staffed by them. They are isolated from the local people but stay with their countrymen in the slum areas. The Catholic priests from their own villages came to Beijing and offered pastoral care in terms of religious service as well as social service by organizing this cohort of Catholic internal migrants in Beijing as if they were in their own parish churches in their home towns. Due to isolation and loneliness from the city culture of Beijing, a metropolitan city, the clandestine Catholic activities were very much welcomed by these workers with low income. Priests were sent to serve these internal migrants by different Catholic villages of Hebei and Shaanxi Province to serve their own countrymen working in a city which has a world of differences from their home villages. However, after the demolition of the low-cost houses to force them to go back to their home villages, the clandestine Christian communities disappeared.³²

In China, starting from January 2018, foreigners’ visas were not easily to be renewed. Even for those foreigners who are employed as

professionals, their connection of close friendship with Protestant or Catholic leaders has become the obstacle to getting their visas renewed.³³

There were a lot of negative news coming from the grassroots Christians that children under the age of 18 were taken away from churches when they were attending church services with their parents. In fact, in the Document 19 (Document 19 Section IV) it is stated that people above the age of 18 should be given the freedom to choose religious belief. Yet it is a pretext to eliminate the maintaining of religious faith because in every religion, no matter it is Buddhism, Daosim or Christianity, religious faith came from family practices since early childhood when kids absorb religious atmosphere from the family and take it as a natural family practice. After the age of 18, it is not easy if not possible for them to take up a new belief system. It is true that since the Maoist era, religious belief/faith had been kept not by religious institutes, the church or temples but by the family itself alone.³⁴ For the last few decades since 1979 when churches were reopened Catholics and Christians had brought their children to go to church services all the same and the government had never prevented them from doing so. However, Xi Jinping's intensification of control of religions has begun to stop children to go to church services and caused great resentment among Christians. Preventing children from getting into contact with religion is a subtle way to eliminate the development of religion among the people. This is because when children grow into their adolescence religious sentiment would be greatly reduced.³⁵

Lastly, we have information that the arrest of Catholic bishops has been carrying on. Underground church's Bishop Shao Zhumin (邵祝敏) of Wenzhou (温州教區), Zhejiang Province, had been taken away 4 times over the last 3 years. Beijing insisted on the Vatican ordering the two underground bishops Bishop Zhuang Jianjian

(莊建堅) of Swatow (汕頭教區, *Dioecesis Scianteuvensis*, eastern Guangdong Province) and Bishop Guo Xijin (郭希錦) of Mindong (閩東教區, Diocese of Mindong, eastern Fujian Province) to resign to make way for the illicit Bishop Huang Bingzhang (黃炳章) and Bishop Zhan Silu (詹思祿). Recently Bishop Cui Tai (崔泰) of Xuanhua (宣化教區, *Dioecesis Siüenhoavensis*), Hebei Province, was arrested.³⁶

4. Human Rights and Religious Freedom: The Paradigm Shift in PRC

In the history of the development of human rights, starting from the 18th Century only the Western civilization with Christian heritage began to pay attention to that. The idea of equality of human beings is expressed in their rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status based on the dignity of man and the equality among themselves. This is the fundamental belief in the Christian heritage that hatches this idea that all men are equal because according to the Bible, they are the children of God, and are saved by God's Son. Thus, human being's dignity should be respected regardless of race, sex, nationality, ethnicity, language and religion.

However, in the Confucian culture like that in China the social order prevails in the five relations as between parent and child, husband and wife, elder sibling and junior sibling, elder friend and junior friend, and ruler and subject. Each one in the society has his/her moral responsibility in their relationship based on “*ren*” (仁, love/charity). The idea of equality is absent. Moreover, when Mao came into power he wished to shake off everything from the colonial West, and worked towards the extinction of religion with the “Religious Freedom Policy” suggested by Li Weihai, the head of United Front Department. In the long years of

practicing Religious Freedom Policy, government leaders and officials of the PRC has two considerations. First, the CCP being atheists, they do not believe that human right is an inborn gift and human beings are children of God. In the Document 19 it is stated that religious freedom is granted by the CCP, therefore when the freedom will be granted, to what degree it will be granted, and when the freedom will be taken back are all decided by the Party. Secondly, the fluctuation of the degree of controlling religions depends on the political climate and China's foreign relations because religion is one of the elements to be mobilized to facilitate CCP's United Front Policy during different periods of political development.

5. Conclusion

In the context of the Chinese version of interpretation of "religious freedom policy", control on religions has been applied for more than 30 years, and the degree of control has fluctuated according to the political climate. When Xi Jinping tightened up government policy for control of religions according to the strategy of that period to serve the Party and to be guided by the Party, human rights have been out of his consideration. In the documents on religions issued by the Xi Jinping administration, it is revealed that religious security has been uplifted to the level of national security, asking religions to serve the needs of the Party and managing religions with strict rules and regulations. Without consideration on human rights, the political leader put all religious believers into a cage for controlling. To comply with the United Front Policy, the White Paper contains lies and twisted interpretations of religious suppression which beautify actions which are all against human rights with legal bindings. In short, the deeds of Xi's administration which are against human rights have been carried out all the same

without caring about international criticisms because in Xi Jinping's dictatorial regime human rights have to give in to the fulfilment of Xi's so-called "China Dream". Thus the degree of control on religions has gone back to the standard of Mao who adopted the "Religious Freedom Policy" aiming at the immediate extinction of religions. Under Xi's reign shift of the paradigm of religious freedom from the universal standard to the "Chinese characteristics" is most immanent. The policy is unpredictable but according to the wish of the political leader.

Notes

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- 1. The United Nations on Human Rights. <<http://www.un.org/en/sections/issues-depth/human-rights/index.html>>
- 2. *Zhongguo baozhang zongjiao xinyang ziyou de zhengce he shijian* (《中国保障宗教信仰自由的政策和实践》). <http://www.xinhuanet.com/politics/2018-04/03/c_1122629624.htm>
- 3. Li Weihan (李維漢) (1981). *Guanyu minzu gongzuo zongjiao wenti* / 關於民族工作宗教問題 [questions concerning religion in minority

- nationality work]. In: *Tongyi zhanxian wenti yu minzu wenti* / 統一戰線問題與民族問題 [questions of the United Front and national minorities]. Beijing: Renmin Chubanshe (北京人民出版社), pp. 520–581.
4. Liu Peng (劉澎) (n.d.). *Zongjiao wenti wenji (Neibu ziliao jingong cankao)* (『宗教問題文集』(內部資料僅供參考)) [collection of essays on religious issues (internal information only for reference)]. Beijing: Pushi Shehuikexue Yanjiusuo (普世社會科學研究所), pp. 103–116.
 5. Li Weihan (李維漢) (1981). *Guanyu minzu gongzuo zongjiao wenti* / 關於民族工作宗教問題 [questions concerning religion in minority nationality work]. In: *Tongyi zhanxian wenti yu minzu wenti* / 統一戰線問題與民族問題 [questions of the United Front and national minorities]. Beijing: Renmin Chubanshe (北京人民出版社), pp. 520–581.
 6. *Ibid.*
 7. *Ibid.*
 8. Ye Xiaowen (葉小文) (1999). *Guanyu zongjiao gongzuo de san ju hua* / 關於宗教工作的三句話 [three sentences on the work of religion]. In: *Zhonggong zhongyang dangxiao baogao xuan* / 中共中央黨校報告選 [selected reports of the Central Party School], Vol. 162, No. 6, pp. 1–18 (internally circulated document).
 9. PRC National Bureau of Religious Affairs (Policy and Regulation Division) (ed.) (國家宗教事務局政策法規司編) (1999). 『全國宗教行政法規規章匯編』 [compilation of national religious administrative regulations]. Beijing: Zongjiao Wenhua Chubanshe (宗教文化出版社).
 10. Liu Hui (劉慧) (ed.) (2014). 『中國國家安全研究報告』 (*Annual Report on China's National Security Studies (2014)*). (*Blue Book of National Security* / 國家安全藍皮書). Beijing: Social Sciences Academic Press (China) (社會科學文獻出版社).
 11. “Xi Jinping heralds ‘new era’ of Chinese power at Communist party congress” (reported by Tom Phillips), *The Guardian*, 18th October 2017. <<https://www.theguardian.com/world/2017/oct/18/xi-jinping-speech-new->

era-chinese-power-party-congress>

12. “中國保障宗教信仰自由的政策和實踐”, *Xinhua Net* (新華網), 3rd April 2018. <http://www.xinhuanet.com/politics/2018-04/03/c_1122629624.htm>
13. 【桑海神州】2018年4月4日 踢爆中共宗教白皮書陰謀 [exposing the conspiracy of CCP White Paper on religion], *Radio Free Asia (RFA)* 自由亞洲粵語 (Youtube), 4th April 2018. <<https://www.youtube.com/watch?v=8joZIROxu5Q>>
14. “China Focus: Xi calls for improved religious work”, *Xinhua Net* (新華網), 23rd April 2016. <http://www.xinhuanet.com/english/2016-04/23/c_135306131_2.htm> (retrieved on 3 June 2018)
15. “習近平警告謹防“外籍勢力滲透”宗教” [Xi Jinping warning beware of ‘infiltration of foreign forces’ into religion] (reported by John Ai), *AsiaNews* (亞洲新聞通訊社), 25th April 2016. <<http://www.asianews.it/news-zh/習近平警告謹防“外籍勢力滲透”宗教-37319.html>>
16. *Ibid.*
17. *Ibid.*
18. “《宗教事務部分行政許可項目實施辦法》【完本】” [implementation method of some religious affair items with administrative permission (complete version)], 菩薩在線 [*pusa (bodhisattva)* online], 22nd February 2018. <<http://www.pusa123.com/pusa/news/zhengce/116803.shtml>>
19. This policy was listed clearly in Document 19.
20. “習近平在省部級主要領導幹部學習貫徹十八屆六中全會精神專題研討班開班上發表重要講話”, Ministry of National Defense of the People's Republic of China (中華人民共和國國防部), 13th February 2017. <http://www.mod.gov.cn/big5/shouye/2017-02/13/content_4772413.htm>
21. *Union of Catholic Asian News (UCAN)*, 26th August 2016. <<https://www.ucanews.com/>>
22. *Union of Catholic Asian News (UCAN)*, 13th January 2016.

23. *South China Morning Post*, 30th January 2016.
24. “山西金燈台大教堂被炸毀” [the grand Jindengtai Church in Jiangxi Province blown up with explosives and destroyed], *Christian Times* (基督教時代論壇), 18th January 2018. <https://christiantimes.org.hk/Common/Reader/News/ShowNews.jsp?Nid=153585&Pid=102&Version=0&Cid=2141&Charset=big5_hkscs> (retrieved 2nd June 2018)
25. *Union of Catholic Asian News (UCAN)*, 22nd April 2015.
26. “主政時強拆十字架 夏寶龍任政協秘書長” [destroying the crosses when governing Zhejiang, Xia Baolong is appointed the Secretary General of the CPPCC], *Liberty Times Net* (自由時報), 15th March 2018. <<http://news.ltn.com.tw/news/world/breakingnews/2365778>>
27. “江西官員將宗教字畫換習近平像 陳智衡：或與管理權力下放基層單位有關” [Jiangxi officials changed religious calligraphy and paintings to images of Xi Jinping; Chen Zhiheng: probably related to the decentralization of power to grassroots units], *Christian Times* (基督教時代論壇), 17th November 2017. <https://christiantimes.org.hk/Common/Reader/News/ShowNews.jsp?Nid=153089&Pid=102&Version=0&Cid=2141&Charset=big5_hkscs> (retrieved 2nd June 2018)
28. “Bibles pulled from China’s online bookstores as Beijing releases white paper on religious policy” (reported by Christina Zhou, Vicky Xiuzhong Xu and Bang Xiao), *ABC News*, 4th April 2018. <<http://www.abc.net.au/news/2018-04-04/bibles-allegedly-pulled-from-chinas-online-bookstores/9616560>> (retrieved on 6th April 2018)
29. This was reported by a Chinese pastor who is close to informants in China.
30. This author has been affiliated with that Catholic Biblical institute which some years ago engaged in the editing of Chinese translation of the Community Bible, when she was living in Macau in the period 2006-2014.
31. *South China Morning Post*, 4th January 2018.
32. The author met one of the priests who served the internal migrants, and interviewed him on 23rd May 2018 in Hong Kong.

33. The author met one American professional who was refused visa renewal. He had to leave Chinese after serving a firm in Beijing for more than 3 years.
34. This was agreed upon by religious researchers in China. This topic was discussed in the International Conference on “The Catholic Church in China since 1979” at the Hong Kong Baptist University. 14-15 June 2018.
35. *Ibid.*
36. “正委會發起聯署釋放崔泰主教，去信各國領事要求支持”
[the standing committee initiated the joint signature campaign calling for the release of Bishop Cui Tai, sending letters to the consuls of various countries to request support], *UCAN* (天亞社中文網), 15th June 2018.
<<https://china.ucanews.com/2018/06/15/> 正委會發起聯署釋放崔泰主教，去信各國領事要求 />

References

- Lam, Willy (林和立) (2018). Factors behind Xi Jinping's scorched-earth policy towards dissidents and civil society. *Tripod*, no. 188, pp. 83-88.
- Leung, Beatrice (1992). *Sino-Vatican relations: Problems in conflicting authority 1976-1986*. Cambridge: Cambridge University Press. (See pp. 348-367: Appendix II – “The English translation of ‘Document 19’ issued by the CCP Central Committee in 1982 (classified)”.)
- Leung, Beatrice (2005). China's religious freedom policy: An art of managing religious activity. *The China Quarterly*, Vol. 184, pp. 894-913.
- Li Weihan (李維漢) (1981). Guanyu minzu gongzuo zongjiao wenti / 關於民族工作宗教問題 [questions concerning religion in minority nationality work]. In: *Tongyi zhanxian wenti yu minzu wenti / 統一戰線問題與民族問題* [questions of the United Front and national minorities]. Beijing: Renmin Chubanshe (北京人民出版社), pp. 520–581.

- Liu Hui (劉慧) (ed.) (2014). 『中國國家安全研究報告』 (*Annual Report on China's National Security Studies (2014)*). (*Blue Book of National Security / 國家安全藍皮書*). Beijing: Social Sciences Academic Press (China) (社會科學文獻出版社).
- Liu Peng (劉澎) (n.d.). *Zongjiao wenti wenji (Neibu ziliao jingong cankao)* (『宗教問題文集』(內部資料僅供參考)) [collection of essays on religious issues (internal information only for reference)]. Beijing: Pushi Shehuikexue Yanjiusuo (普世社會科學研究所).
- MacInnis, Donald E. (1989). *Religion in China today: Policy and practice*. New York: Orbis Books.
- PRC National Bureau of Religious Affairs (Policy and Regulation Division) (ed.) (國家宗教事務局政策法規司編) (1999). 『全國宗教行政法規規章匯編』 [compilation of national religious administrative regulations]. Beijing: Zongjiao Wenhua Chubanshe (宗教文化出版社).
- Wang Zuoan (王作安) (2017). *Zuohao zongjiao gongzuo bixu jiang zhengzhi* (〈做好宗教工作必須講政治〉) [politics is indispensable in good work on religions]. *Qiushi* (《求是》), 2017/14, July 2017. <http://www.qstheory.cn/dukan/qs/2017-07/15/c_1121307490.htm>
- Ye Xiaowen (葉小文) (1999). *Guanyu zongjiao gongzuo de san ju hua* / 關於宗教工作的三句話 [three sentences on the work of religion]. In: *Zhonggong zhongyang dangxiao baogao xuan* / 中共中央黨校報告選 [selected reports of the Central Party School], Vol. 162, No. 6, pp. 1-18 (internally circulated document).
- Xing Fuzeng (邢福增) (2018). “從「釋義」看新《宗教事務條例》——對家庭教會的影響” [from “Interpretation” looking at the new “Regulations on Religious Affairs” – the influence on house churches], 鼎 (*Tripod*), Vol. 38, Spring 2018 (2018 年春季號 第38卷 總第188期 中國教會承受嚴峻政治壓力 [the Chinese Church is under severe political pressure]), pp. 7-22. <http://hsstudyc.org.hk/big5/tripod_b5/b5_tripod_188_02.html>

Regional Reach of Authoritarianism

Hong Kong No More: From Semi-democracy to Semi-authoritarianism

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Abstract

After the Umbrella Movement in 2014 in Hong Kong, the Chinese Communist Party adjusted its strategy towards Hong Kong. The systems in Hong Kong will have to be converted from semi-democratic to authoritarian by advancing the authoritarian rule of law in the territory to replace thicker understandings of the rule of law. Measures of authoritarian rule of law in the Hong Kong context include aggrandizing the Constitution of the People's Republic of China, normalizing the interpretation of the Basic Law by the Standing Committee of the National People's Congress, issuing decision on compatibility with the Basic Law by the Standing Committee of the National People's Congress, adding national laws to Annex III of the Basic Law, acting through the Hong Kong Special Administrative Region Government by enforcing existing laws, political prosecution, amending the Rules of Procedure of the Legislative Council and making new laws through the HKSAR Government. The strategic goals of the authoritarian rule of law in Hong Kong are to weaken the opposition camp, to generate pressure on the courts, to limit the freedoms of Hong Kong people and to

legitimize the rule of a Chief Executive not elected by Hong Kong people directly. Ultimately the Chinese Communist Party's rule over Hong Kong will be secured and Hong Kong cannot be used as a subversive base to threaten its rule in the Mainland. Facing the encroachment of the authoritarian rule of law, Hong Kong is still not fully authoritarianized. It is yet a semi-authoritarian system. Elements of thicker understandings of the rule of law continue to exist in Hong Kong and have not been eradicated yet. Limited elections are still being held. A substantial number of people in Hong Kong have not given up thicker understandings of the rule of law and they believe that law should constrain governmental powers and protect fundamental rights of citizens. Yet, there can still be hope. Everyone in the community must defend the rule of law to prevent further encroachment of authoritarianism.

Keywords: *rule of law, semi-democracy, authoritarianism, Hong Kong, Chinese Communist Party*

1. Introduction

Hong Kong is a very special place in China, in Asia and in the world. It was one of the four little dragons of Asia impressing the world by her rapid economic growth in the 1970s and 1980s. Now, Hong Kong has developed into one of the international financial centres.

Hong Kong was a British colony but did not follow the normal path of decolonization to become an independent state. During the colonial years, a common law system was transplanted to Hong Kong and it continues to thrive. Hong Kong remained to be under colonial rule until China resumed to exercise sovereignty over Hong Kong in 1997 in accordance with an agreement signed between the Chinese and the United Kingdom governments in 1985. Under the agreement,

Hong Kong would be allowed to continue to practice her economic, social, political and legal systems which are very different from the systems in Mainland China. According to the policy of “One Country Two Systems” advocated by the Chinese Communist Party (CCP), Hong Kong becomes a special administrative region of China and enjoys high degree of autonomy (Tai, 1999).

Hong Kong is neither genuinely democratic nor totally authoritarian. Both democratic and authoritarian elements can be found (Fong, 2013; Wong, 2015). Limited elections are allowed. More importantly, she is able to maintain a strong rule of law through which powers of the government are effectively constrained and citizens’ fundamental rights are adequately protected (Tai, 1999, 2007; Chen and Cheung, 2004; Cheung and Chen, 2004). Hong Kong is ranked the 16th among 113 countries and jurisdictions by the World Justice Project’s Rule of Law Index 2017 in its global ranking of the rule of law (World Justice Project, 2017).

This is exceptional not only in China, but also among ex-colonies of the British empire and even in the whole world. However, the uniqueness of Hong Kong is fading making it more and more like one of the many populous cities in China. Hong Kong may soon not be the same Hong Kong that many people in Hong Kong and people in other parts of the world used to recognize or would like the place to be.

This article aims to examine the signs showing that this change is coming, the reasons causing such a change and what can be done to withhold such a change.

2. Semi-democracy No More

The system of government that has been in practice in Hong Kong can be called semi-authoritarian or semi-democratic. Both may not be

wrong. However, for many years many people in Hong Kong prefer to recognize it as semi-democratic. There can be two reasons. First, the rule of law, a very important component of democracy, has long been entrenched in the territory. Second, the Basic Law, Hong Kong's constitution, states clearly the ultimate aim of the development of the political system of Hong Kong: The Chief Executive (CE) of the Hong Kong Special Administrative Region (HKSAR) is to be elected by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures and all members of the Legislative Council (LegCo) are to be elected by universal suffrage. Following the timetable provided in the Basic Law, Hong Kong would eventually become a genuine democracy even if the scheduled time was being postponed for several times. The condition is that the provisions of the Basic Law are given their natural meaning and are actually implemented.

However, the Standing Committee of the National People's Congress ("NPCSC"), a legislative arm of the CCP regime, issued a decision on the election method of the CE on 31 August 2014 ("Decision"). Very strict requirements on the election method of the CE, intended to start from 2017, were laid down in the Decision. The number of members, composition and formation of the nominating committee (NC) are to be made in accordance with the election committee for the previous CE. The NC can only nominate two to three candidates. Each candidate must have the endorsement of more than half of all the members of the NC.

These specific arrangements on the nomination process enable the CCP to screen out any unwanted candidate. As such, they cannot satisfy the international requirements on universal suffrage since Hong Kong electors would not have a free choice of candidates and unreasonable restrictions would be imposed on the right of any person to stand for

future CE elections (Forsyth *et al.*, 2014). The Decision triggered the 79-day occupation of the Umbrella Movement in late 2014. It also formally ended Hong Kong's era of semi-democracy as the Decision dashed any hope for genuine universal and equal suffrage in the near future in Hong Kong.

The original plan of the CCP as reflected from the Decision was to introduce into Hong Kong a controlled form of election maintaining a limited degree of competition to select future CEs. The purpose is to compensate the political legitimacy deficit long suffered by the HKSAR Government but ensure at the same time that the elected CE would still be under the CCP's control. However, the constitutional proposal to implement the Decision was vetoed by the opposition camp as it failed to get the required support from two-third of all members of the LegCo. The existing undemocratic procedures for electing the CE are to remain in the coming years.

The Umbrella Movement was the most direct and serious confrontation between the CCP and the opposition camp demanding democracy in Hong Kong (Hui and Lau, 2015; Ortmann, 2015). After the end of the street occupations, the CCP makes up her mind that genuine democracy cannot be trusted to Hong Kong people. The CCP started to adjust its strategy in dealing with the opposition camp and the continuing and growing demand for democracy in Hong Kong.

If the system is not going to be democratized, one option is to maintain the status quo, neither democratic nor authoritarian. However, the CCP has chosen to adopt another option by tightening her political control in the territory. By advancing authoritarianism in Hong Kong, any demand for genuine democratic development will be suppressed so as to preserve CCP's overall jurisdiction over this non-democratic regime.

A new agent was chosen to be the CE who is responsible for the actual operation of this plan. Carrie Lam, the Chief Secretary of the previous administration, replaced C.Y. Leung as the new CE. Unlike Leung who had only low popular rating from the first day he took up the office of CE in July 2012, Lam is a veteran civil servant and enjoys, at least initially, much higher popular support. Her rich experiences in public service and the general support she enjoys in the community might generate the much-needed political legitimacy at this critical moment facilitating the CCP to implement the new strategy of authoritarianizing Hong Kong.

3. Authoritarian Rule of Law

Ironically, the most important tool of the CCP in advancing authoritarianism in Hong Kong is the rule of law which has also been the most important component of Hong Kong's semi-democratic system in the past years. However, the rule of law in the hands of the CCP is something quite different from the rule of law that has been embraced by Hong Kong people for many years.

Making use of the contested nature of the rule of law of which there are many levels of understandings, the CCP adopts a very thin conception of the rule of law. Under a narrow understanding of this well accepted constitutional principle, the powerholder needs only to conform to some general procedural requirements and implement decisions through among other things independent courts in accordance with some vaguely drafted legal rules. The powerholder is not actually constrained by any substantive legal rules as all laws including the constitution can be given any meaning or even be changed as the powerholder likes. There is also no government institution including the court that can

impose actual constraint on the powerholder as all government institutions are subject to the highest legal authority of the powerholder. This understanding of the rule of law can also be referred as the authoritarian rule of law (Tushnet, 2015; Rajah, 2012).

Even if this understanding of the rule of law does not constrain the powerholders and protect fundamental rights of citizens, it may still be able to provide varying degree of legitimization for the authority depending on the legal culture of the community. That is also the reason why authoritarian rulers would like to adopt law as one of their tools of governing.

This thinnest conception is different from other much thicker understandings of the rule of law. Applying the teleological approach suggested by Martin Krygier (Krygier 2016; 2018), the fundamental differences between the understandings of the rule of law can be clearly illustrated. The teleological approach asks first what the ultimate and overriding goal of law under the rule of law is before what the constituents of the rule of law are and how it may be achieved.

The rule of law that the CCP together with the CE and the HKSAR Government want to promote in Hong Kong puts maintaining social order as the overriding function of law even at the costs of granting arbitrary powers to government officials and restricting fundamental rights of citizens disproportionately. Through emphasizing the importance of obedience to the law by all government officials and citizens, social order can be secured. Any person who refuses to obey the law will be considered to be damaging the rule of law (Yuen, 2015). If the authority of law is uncritically accepted by Hong Kong people, whatever its content is, the authority of the CE sugar-coated by law will be legitimized even though she is not elected by all Hong Kong people directly.

However, many Hong Kong people embrace much thicker understandings of the rule of law. Maintenance of social order is only considered to be the foundation of more sophisticated and advanced goals of law. Governmental powers must be constrained by law to prevent the powers from being exercised arbitrarily. An independent judiciary is a necessary but not sufficient condition to constrain the powers of the government. Having an independent judiciary does not mean that powers of the government could always be adequately constrained. Moreover, even if the powers of the government are being constrained, there is still no guarantee that the law can provide sufficient protection to citizens' rights. Therefore, law at the end must provide substantive protection to a range of citizens' rights.

According to the authoritarian rule of law, other goals of law are considered to be inferior to the need of maintaining social order through compliance and obedience to the law. The CCP's plan is to use the authoritarian rule of law to replace thicker understandings of the rule of law which are more generally shared by many Hong Kong people. Redefining the rule of law in Hong Kong as the authoritarian rule of law will help establish an authoritarian Hong Kong. The paradox is that Hong Kong's rule of law is now facing the biggest challenge from the advancement of authoritarianism by the CCP in the name of maintaining "the rule of law".

4. Authoritarianism by Law Step by Step

Many methods are now being used by the CCP to implement the authoritarian rule of law. Various incidents before and after Lam's replacement of C.Y. Leung as the CE can illustrate how the CCP together with the HKSAR Government is building up an authoritarian Hong Kong step by step through law.

4.1. Aggrandizing the Constitution of the People's Republic of China

There are many provisions of the Constitution of the People's Republic of China ("Constitution") that contradict with the Basic Law. That was the reason why the CCP created the principle of "One Country Two Systems" allowing Hong Kong to practice under the Basic Law political, legal, social and economic systems that are very different from the systems in the Mainland. Except Article 31 of the Constitution which authorizes the National People's Congress to establish special administrative regions when necessary, the Basic Law avoids mentioning other provisions of the Constitution. Article 11 of the Basic Law only provides that the systems and policies practised in the HKSAR, including the social and economic systems, the system for safeguarding the fundamental rights and freedoms of its residents, the executive, legislative and judicial systems, and the relevant policies, should be based on the provisions of the Basic Law.

Since 2014, the CCP has started to emphasize the importance of the Constitution in the governance of Hong Kong in all official statements concerning Hong Kong. What have been accentuated are not the socialist provisions in the Constitution but the overriding interests of the nation including national sovereignty, national security, and development interests of the nation (Information Office of the State Council, 2014; Xi, 2017).

The provisions of the Constitution may not be directly enforceable in the Courts of Hong Kong. However, the CCP can reset the constitutional background of Hong Kong by aggrandizing the Constitution in Hong Kong. This is to pave way for advancing the authoritarian rule of law in Hong Kong especially through the power of interpreting the Basic Law by the NPCSC.

4.2. Normalizing the Interpretation of the Basic Law by the NPCSC and the Oath-taking Incident

The Basic Law is the constitutional foundation of the system of law in Hong Kong. Through the power to interpret the Basic Law enjoyed by the NPCSC, the CCP can give any meaning to the Basic Law whatever and whenever it desires even if the meaning is something which the language of the legal instrument cannot bear and such additional meanings are applicable retrospectively.

The CCP used to think that the power of interpreting the Basic Law should only be used in exceptional circumstances as any such use would weaken the judicial authority in Hong Kong. But now it is more prepared to use this convenient and powerful constitutional tool. Once a legal basis can be established for a controversial political decision through certain formal and authoritative decision-making procedures, many people in Hong Kong will accept its legitimacy. Not many people seem to know or care too much about the specific source of the legal intervention, the integrity of the legal procedures in generating the legal justification, or whether the legal justification is itself liberal or equitable. With this new insight, the CCP will normalize the use of the interpretation process to provide constitutional and legal supports for controversial political decisions.

Even if constitutional and legal disputes could have been resolved in judicial proceedings in Hong Kong, the CCP can issue an interpretation of the Basic Law before the judge in Hong Kong gives his ruling. This is a serious encroachment on the judicial independence of Hong Kong. It indicates that Hong Kong judges are not trusted by the CCP. There is no respect for Hong Kong's judicial autonomy. Previous worries that controversial political decisions would be challenged in the courts of Hong Kong may be reduced. Even though the NPCSC's understanding

of the concept of interpretation and the interpretations given by the NPCSC might go against the common law approach, the Hong Kong courts are found to have accepted the authority of the interpretations of the NPCSC unquestionably. It appears that Hong Kong judges do not dare to confront the sovereign power of the CCP and seem to be quite powerless to defend their understanding of the rule of law in front of their sovereign master who holds a very different understanding of the rule of law.

A good example to illustrate this measure of the authoritarian rule of law with Hong Kong characteristics is the oath-taking incident.

Article 104 of the Basic Law provides that members of the LegCo when assuming office must, in accordance with law, swear to uphold the Basic Law and swear allegiance to the HKSAR. In past sessions, several legislators from the opposition camp had used irregular swearing-in methods in the oath-taking ceremonies to express their political opinions against the HKSAR Government and the CCP. Attire or props were used while the official oath was being read. Words or slogans were added before or after the official oath was read. Even if the oath-taking might be considered to be invalid, they were always allowed to re-take the oath.

After the elections to the LegCo in September 2016, several new legislators from the “localist” camp, the more radical wing of Hong Kong’s opposition, were elected. Two of them, Sixtus Leung and Yau Wai Ching, were alleged to have used derogatory acts or words to express their separatist stance while they swore their oaths. Leung’s and Yau’s oaths were decided to be invalid but were allowed to retake the oath in the next session by the President of the LegCo. The CE and the Secretary for Justice commenced legal proceedings to obtain declarations that the invalid oaths had disqualified Leung and Yau from assuming office before they had the chance to swear for the second time.

The NPCSC issued an interpretation of Article 104 (“Interpretation”) just a few days before the Court of First Instance gave the ruling.

The Interpretation has in effect amended Article 104. It does not merely clarify the meaning of the constitutional provision. According to the Interpretation, an oath taker must take the oath prescribed by laws accurately, completely, solemnly and sincerely. Her failure to do so would be considered to be declining to take the oath. If oath taker is taken to have declined to take the oath, she will be disqualified from assuming the public office. The NPCSC added an arrangement that can hardly be found from the legal text. If the oath first taken is decided to be invalid, the oath taker cannot be given another opportunity to take the oath again.

All levels of courts of the Hong Kong including the Court of Final Appeal (“CFA”) accepted the constitutional authority of the Interpretation and Leung and Yau were successfully disqualified. Four other legislators from the moderate wing of the opposition camp were also disqualified in subsequent legal proceedings initiated by the CE and the Secretary for Justice on the basis that they failed to take the oath accurately, completely, solemnly and sincerely in accordance with the Interpretation.

4.3. Issuing Decision on Compatibility with the Basic Law and the Co-location Arrangement

Even though this is not a power explicitly mentioned in the Basic Law, the NPCSC has developed a new constitutional tool which can be considered an extension of its interpretation power. Foreseeing that there may be constitutional challenge to a measure to implement the authoritarian rule of law, the NPCSC has learnt to act preemptively by issuing a decision to confirm that the measure is compatible with the

Constitution and the Basic Law. In case the measure is still being legally challenged in the future, the NPCSC can give an Interpretation to grant constitutional status for the measure in question. As everyone can foresee that the NPCSC will definitely do so, it is hoped that such people who wants to challenge the measure would be scared off. An example is the decision by the NPCSC confirming the constitutionality of the co-location arrangement of the high-speed rail between Hong Kong and Guangzhou.

In 2010, the HKSAR Government pushed through the LegCo a controversial project getting funding support to construct a high-speed rail from Hong Kong to Guangzhou via Shenzhen to connect with the high-speed rail network on the Mainland. Owing to over-spending, the cost of the project is increased from around 60 billion to close to 90 billion Hong Kong dollars. One major attraction of the high-speed rail is that there will be a co-location arrangement for passengers to complete clearance procedures of both Hong Kong and the Mainland at a single location in one go.

In 2017, the HKSAR Government put forward the proposal that the co-location arrangement will be conducted at the terminal at West Kowloon. A Mainland Port Area (MPA) will be set up at the West Kowloon terminal, situated at the heart of the territory, in which the whole body of Mainland laws will be applicable, and the Mainland authorities will exercise jurisdiction over all matters except those matters reserved for the HKSAR.

Many people question whether the co-location arrangement is compatible with the provisions of the Basic Law. Article 18 of the Basic Law provides that national laws shall not be applied in the HKSAR except for those relating to defence, foreign affairs and other matters outside the limits of the autonomy of the HKSAR listed in Annex III of the Basic Law. Article 19 of the Basic Law provides that the courts of

the HKSAR shall have jurisdiction over all cases in the territory, except that the restrictions on their jurisdiction imposed by the legal system and principles previously in force in Hong Kong shall be maintained.

In December 2017, the NPCSC passed a decision confirming that the co-location arrangement is compatible with the Basic Law. It states that the co-location arrangement will not change the territorial boundaries of the HKSAR, affect the high degree of autonomy of the HKSAR and decrease the rights and freedoms enjoyed by Hong Kong residents. In addition, it is beneficial to the economic development of Hong Kong. The decision was seriously criticised by the Hong Kong Bar Association that all the provisions of the Basic Law referred by the decision in their plain reading cannot provide a firm legal basis for the co-location arrangement and explain why it would not be contravening Article 18 (Hong Kong Bar Association, 2017).

With the confirmation from the NPCSC, local legislation on the co-location arrangement is in the process of being enacted by the LegCo. It is likely that the law will be challenged in the courts of Hong Kong on its compatibility with the Basic Law. Even though the decision is not formally an interpretation by the NPSCP, one can foresee that the chance to successfully invalidate that piece of legislation through judicial review will be very small. The NPCSC can simply pick any provision from the Basic Law and issue another interpretation to provide the constitutional support for the co-location arrangement. All constitutional disputes before the courts of Hong Kong will then be cleared.

Like the oath-taking incident, the co-location incident severely undermines the rule of law in Hong Kong. The CCP is now more and more prepared to use law to justify any decision she wants to make as she can totally control the constitutional process to interpret the Basic Law. Even if the reading given by the NPCSC is beyond the natural and plain meaning of the legal text and is not in accordance with prescribed

procedures of the Basic Law, no one could question its authority. As the Hong Kong Bar Association said, any act will be compatible with the Basic Law “just because the NPCSC says so”. Law will be used in such a manipulative way when the CCP believes that some “good things” can be done (Hong Kong Bar Association, 2017).

4.4. Adding National Laws to Annex III of the Basic Law and the National Emblem Law

According to Article 18 of the Basic Law, national laws shall not be applied in the HKSAR except for those listed in Annex III to the Basic Law. The NPCSC may add a national law to Annex III if it is related to defence and foreign affairs as well as other matters outside the limits of the autonomy of the HKSAR as specified by the Basic Law. The laws listed in Annex III shall be applied locally by way of promulgation or legislation by the HKSAR.

All the laws now listed in Annex III are not politically controversial. Knowing that it has the ultimate power to determine whether a matter is within the scope of defence and foreign affairs or a matter outside the limits of the autonomy of the HKSAR, the CCP can easily convert the process under Article 18 and Annex III to become a back door to legislate for Hong Kong directly. Once a national law is said to be a matter concerning defence, foreign affairs or outside the limits of the autonomy of the HKSAR and is added to Annex III, the law will have to be implemented in Hong Kong even if the law’s real objective is to implement the authoritarian rule of law in Hong Kong. An example is the enactment of the National Anthem Law.

The National Anthem Law (“NLA”) was passed by the National People’s Congress in September 2017 and the law was added to Annex III of the Basic Law by the NPCSC in November 2017. The local legislation to implement the NLA is now in the process of enactment.

There are several provisions in the NLA that attract a lot of concerns that the freedom of expression of Hong Kong people might be infringed.

Article 6 of NLA provides that the national anthem must not be performed or sung in a manner harmful to the dignity of the national anthem. Article 7 states that those present when the national anthem is performed and sung should stand and deport themselves respectfully and must not display any behaviour that is disrespectful to the nation anthem. According to Article 15, any person who in a public venue deliberately alters the lyrics or the score of the national anthem or performs or sings the national anthem in a distorted or derogatory manner, or insults the national anthem in any other manner, shall be issued with a warning or be detained for up to 15 days by public security departments. Where the act constitutes a criminal offence, the offender is subject to criminal prosecution in accordance with law.

Many expressions in the NLA are not clearly defined. It is uncertain what kind of behaviours that will be covered by “manner harmful to the dignity of the national anthem”, “disrespectful to the nation anthem”, “derogatory manner”, or “insulting the national anthem”. If the local legislation were to adopt the expressions from the Chinese legislation directly, it may infringe the right to freedom of expression of Hong Kong people. The legal provisions might not be able to satisfy the constitutional requirements on limiting the right because they are so uncertain that it cannot be “prescribed by law”. In effect, the NLA can silence many people in Hong Kong from expressing their legitimate antagonism against the CCP.

Even if one may want to challenge the constitutionality of the local legislation implementing NLA, the courts of Hong Kong may be questioned whether they have the jurisdiction to review its constitutionality. This is still an unresolved constitutional question. If the courts of Hong Kong in the future conclude that they lack the

constitutional jurisdiction to review a piece of local legislation implementing an applicable national law under Annex III of the Basic Law, then the CCP may have a legal backdoor to disproportionately limit fundamental rights of Hong Kong people. This may compromise the protection that the rule of law can provide to Hong Kong people.

4.4. Acting through the HKSAR Government by Enforcing Existing Laws and Disqualification of Candidates by Returning Officers

The CCP now has the full cooperation of the Lam's Administration. The spirit of authoritarian rule of law is to utilize every possible room provided by the legal text to establish the legal authorization for a measure of authoritarianism. In doing so, the meaning of the legal text may be extended or twisted arbitrarily. Legal procedures may ignore any requirement of procedural fairness. Even if officials exercising the legal power to fulfill an authoritarian task may have to face judicial challenges the future, with the power to interpret the Basic Law as backup, the CCP can easily pick an article from the Basic Law and issue an interpretation of that article to provide the constitutional basis for the authoritarian measure. An example is the disqualification of candidates by returning officers on the ground that the candidates were not genuinely upholding the Basic Law.

After the successful disqualification of elected Legislative Councilors, the wave of disqualification extends to cover undesirable candidates. Section 40 of the Legislative Council Ordinance provides that for a person to be validly nominated as a candidate in the election of a constituency of the Legislative Council, she must sign a declaration to the effect that the person will uphold the Basic Law and pledge allegiance to the HKSAR ("Declaration").

Section 42A of the Legislative Council Ordinance authorises the Returning Officer to decide whether a person is validly nominated as a candidate, but the relevant provisions of the Legislative Council Ordinance had only been used by returning officers in the past to verify whether the Declaration included in the nomination form was properly signed.

Even though there is no express provision, returning officers in the elections of the LegCo since 2016 have exercised the above power to determine whether a nominee has a genuine and truthful intention to uphold the Basic Law. The nominations of several nominees were declared to be invalid on the basis that they had expressed opinions supporting independence of Hong Kong. In at least one case, a nominee had made an open statement that he no longer supported the stance of independence of Hong Kong but his nomination was still declared to be invalid. The returning officer's reason was that she was not satisfied that the nominee had genuinely changed his stance on the independence of Hong Kong.

The “red-line” continues to be redrawn. In the recent by-election of the Legislative Council in March 2018, the nomination of a nominee supporting the right of Hong Kong people to democratically decide Hong Kong's future was also declared to be invalid. This is also considered to be not upholding the Basic Law.

“To uphold the Basic Law” is not defined in the Basic Law and the Interpretation on oath-taking. However, since the election of the Legislative Council in 2016, all persons who want to be nominated as a candidate must also sign a confirmation form indicating that they understand that to uphold the Basic Law means to uphold the Basic Law including Article 1, 12 and 159(4).

Article 1 provides that the HKSAR is an inalienable part of the People's Republic of China. According to Article 12, the HKSAR shall

be a local administrative region of the People's Republic of China, which shall enjoy a high degree of autonomy and come directly under the Central People's Government. Article 159(4) states that no amendment to the Basic Law shall contravene the established basic policies of the People's Republic of China regarding Hong Kong.

It is likely that the returning officer will treat all opinions that deny, challenge, question or even suggest an alternative view to HKSAR's status as an inalienable part of the China to be not upholding the Basic Law. However, no one could know what exactly would be disallowed until the returning officer makes her decision. In other words, the returning officer is now exercising an arbitrary power with no clear standard to limit the political rights of Hong Kong people to stand in an election.

Unfortunately, a decision of the Court of First Instance confirmed that the returning officer does have such power and the judge relied very much on the Interpretation on the oath-taking. The judge only required the returning officer to satisfy certain requirements on procedural fairness in exercising the power. This decision may be overturned by higher courts in the future but until then, the returning officer has the legal power to disqualify potential candidates according to uncertain and moving standards.

The CCP can now act through public servants in the HKSAR Government and achieve the objective of the Decision that triggered the outbreak of the Umbrella Movement via another doorway. Undesirable persons can now be easily screened out and do not have the chance to stand in an election. One can foresee that the same power will be used in the elections of the CE and even the District Councils in the future unless the courts of Hong Kong are able to set things right before the elections.

4.5. Political Prosecution and Review of the Punishment of Young Protesters

According to Article 63 of the Basic Law, the Department of Justice of the HKSAR Government controls criminal prosecutions and is free from any interference. The Secretary for Justice enjoys independent prosecutorial power as the Attorney General in a common law system. Now the whole administration of the HKSAR is under the direction of the CCP, there is no difference to the prosecutorial power. It is now being used to serve political purposes and there are many examples of political prosecution in the past few years. Owing to limitation of space, only one case is reported here, i.e. the review of the punishment of young protesters.

At the beginning of the Umbrella Movement, three student leaders, Joshua Wong, Nathan Law and Alex Chow were involved in clashes at the government headquarters at Admiralty. They were found guilty of inciting others to take part in an unlawful assembly. The penalties of Law and Wong at the first trial were community service and Chow was given a suspended jail term. After they had served their penalties, the Secretary for Justice applied to the Court of Appeal to review the sentencing. Their penalties were revised by the Court of Appeal and they were jailed for six to eight months on the basis of a new set of sentencing guidelines developed by the Court of Appeal concerning cases disturbing public order. The new guidelines were developed by the Court of Appeal in light of the situations after the Umbrella Movement as there were more and more clashes between police and protesters involving violence.

A group of international legal experts criticised the decision of the Court of Appeal that it was outrageously unjust because the three student leaders had already served their sentences. The decision amounted to imposing new punishments on Wong and Law, who had already

completed their sentences of community service and may contravene the principle of double jeopardy that no one shall be punished again for the same offence (Alton *et al.*, 2017). The penalties were also considered to be too severe.

Though the decision to impose heavier penalties was made by the Court of Appeal, the decision to initiate the process to review the punishment was made by the Secretary for Justice. There may not be hard evidence supporting this claim, but it will not be unreasonable to suspect that the Secretary for Justice was politically motivated to make such a decision in order to fulfil a task assigned by the CCP.

However, the decision of the Court of Appeal reveals something that is even more worrying. This is the attitude of some of the judges in Hong Kong concerning the ultimate goal of law. Justice Wally Yeung, Vice-President of the Court of Appeal, said in the judgement: “In recent years, an unhealthy wind has been blowing in Hong Kong. Some people, on the pretext of pursuing their ideals or freely exercising their rights conferred by law, have acted wantonly in an unlawful manner. Certain people, including individuals of learning, advocate ‘achieving justice by violating the law’ and, under this slogan, they encourage others to break the law. These people openly flout the law. Not only do they refuse to admit their lawbreaking activities are wrong, but they even go as far as regarding such activities as a source of honour and pride. It is unfortunate that such arrogant and conceited ways of thinking have influenced some young people and have caused them to engage as they please in activities that are damaging the public order and disruptive of the peace at assemblies, processions or demonstrations.” The Court of Appeal also did not give any recognition to the civil disobedience motivation of the young protesters.

Fortunately, the judges of the CFA in their final judgement of the case disapproved the approach of Yeung. They disagreed that it is not a proper basis for sentencing since it ignores the culpability of the individual accused and instead seeks to attribute the culpability of other persons to them. Also, they ruled that the new sentencing guideline adopted by the Court of Appeal cannot be applicable retrospectively to this case. The original penalties of the three young protesters were reinstated. Unlike the Court of Appeal, the CFA makes it very clear that the court must consider civil disobedience motivation as a mitigating factor in determining the penalty of an accused. Civil disobedience is understood to be a public, nonviolent, conscientious yet political act contrary to law usually done with the aim of bringing about a change in the law or policies of the government.

As reflected from the judgement of the Court of Appeal in this case, there are some judges in Hong Kong who see maintaining social order as overwhelmingly important. Their understanding of the rule of law seems to be not too different from the authoritarian rule of law so asserted by the CCP and the HKSAR government. If more and more judges in Hong Kong embrace this very thin understanding of the rule of law, one cannot expect law and the rule of law in Hong Kong to be able to constrain powers of the authorities effectively and protect fundamental rights of citizens adequately.

4.6. Clearing the Obstruction in the LegCo and the Amendment of the Rules of Procedure of the LegCo

The above measures to disqualify elected LegCo members from the opposition camp have successfully further weaken the opposition camp. Even though the pro-CCP camp is always the majority of the LegCo, the opposition camp can still use various rooms allowable by the Rules of

Procedure of the LegCo like filibustering to obstruct or delay controversial decisions of the HKSAR Government in the past. Now the pro-CCP camp holds even the special majority needed to amend the rules of procedure of the LegCo. The rules were amended and all allowable rooms in the legislative chamber to withstand the encroachment of the authoritarian regime by the opposition camp have in effect been removed.

More manipulation of the Rules of Procedures by the pro-CCP camp is underway. As the pro-CCP camp have the majority in the LegCo, the President of the LegCo and almost all chairpersons of committees of the LegCo are from the pro-CCP camp. Rule 45 of the Rules of Procedure of the LegCo authorizes the President of the LegCo and any chairman of a committee of the LegCo to make final decision on “point of order”. It should be a limited power and should only cover matters related to the observance of the rules of order during the meetings of the LegCo and its committees. Following the spirit of authoritarian rule of law, the pro-CCP camp wants to extend the scope of this power and assert that the President of the LegCo enjoys the power to make final decisions on all matters concerning the business of the LegCo. No debate is allowed on all final decisions of the President of the LegCo.

It would be very difficult to challenge a decision of the President of the LegCo through judicial review as the CFA has already ruled that the court will not interfere with the internal processes of the LegCo. As a result, the proceedings of the LegCo are now being totally dominated by the pro-CCP camp and the opposition camp can hardly use the processes in the legislative chamber to defend the thicker understandings of the rule of law.

4.7. Making New Laws through the HKSAR Government and Article 23 Legislation

One can foresee that after removing all obstacles in the legislative chamber, the HKSAR Government will soon make new laws needed for further authoritarianization in Hong Kong. The most important one must be the national security law under Article 23 of the Basic Law which provides that the HKSAR must enact laws on its own to prohibit any act of treason, secession, sedition, subversion against the Central People's Government.

The last exercise of legislation was withdrawn in 2003 after more than half a million people demonstrated in the street against the legislation. Without the national security law, the CCP finds Hong Kong to be still an insecure place as Hong Kong may be used as a backdoor for anti-CCP forces to infiltrate into the authoritarian regime in the Mainland. For the past years, the CCP has been looking for opportunities to restart the legislative process but failed. The well planned actions to authoritarianize Hong Kong through advancing the authoritarian rule of law aim to pave way for this ultimate action.

One can also foresee that the Article 23 legislation to be reintroduced may not be the same as the one being shelved. Some people from the pro-CCP camp have expressed that the last bill was a toothless tiger as it cannot be used to prohibit any speech that merely advocates for independence of Hong Kong without inciting people to commit act of violence or other serious criminal act.

As the CCP is advancing authoritarianism in Hong Kong, the political red line is being drawn continuously. The national security law first must be able to disallow speeches that advocate for independence of Hong Kong. Then, speeches supporting self-determination by Hong Kong people to decide Hong Kong's political future are to be banned

too. Now, merely raising the possibility of considering the option of independence of Hong Kong if a democratic constitutional order were to be established to replace the collapsed authoritarian rule in the Mainland is also a kind of prohibited speech. It is likely that the political red line will be redrawn again at any time in the future depending on the political needs of the CCP. With the full cooperation of the CE, the HKSAR Government and the LegCo and justified by the authoritarian rule of law, new laws to serve the political purpose can be smoothly made by the HKSAR.

5. Strategic Goals of Authoritarianism in Hong Kong

At this stage, the CCP may not want to fully authoritarianize Hong Kong. A semi-authoritarian Hong Kong can still window-dress CCP's full authoritarian rule by demonstrating to the world that Hong Kong people are still governing themselves and enjoying a high degree of autonomy at least in certain aspects.

The processes to authoritarianize Hong Kong through advancing the authoritarian rule of law in the territory aim to achieve several strategic goals. The ultimate goal is to help the CE, who will never be democratically elected and must be under CCP's direction, find more political legitimacy. If this is successful, there will be no need to introduce genuine democracy in Hong Kong. The CCP worries that once democratic elections are fully implemented in Hong Kong, it will lose control over the territory and Hong Kong could be used as a subversive base to threaten CCP's rule in the Mainland. This is CCP's overriding concern.

From the CCP's perspective, the past failures of CEs were caused by the constraints imposed by different powers of check and balance in the territory. If the CE could have a free hand to gain legitimacy through

designing and implementing policies to improve the livelihood of Hong Kong people, the voice demanding democracy in Hong Kong will then be weakened. Therefore, the targets of the authoritarian rule of law are the sources of the constraining power in Hong Kong.

The most persistent and difficult opposing force in Hong Kong must be the democratic camp. Democrats consistently win 50-60% of the votes in territorial-wide elections in the past years. Even though they could not be the majority in the LegCo because of the constitutional design of the election methods and the composition of the LegCo, the democrats can still make use of the room allowable in the legislative chamber to successfully obstruct the governing of the HKSAR Government in various occasions.

To weaken the constraining power of the LegCo, the number of democrats in the LegCo must be reduced. In the 2016 elections, the opposition camp gained 30 out of 70 seats, the highest number in history. Through the disqualification of six LegCo members from the opposition camp, the democrat camp lost the critical minority in the LegCo and the Rules of Procedure of the LegCo were successfully amended removing almost all possible room in the legislative chamber to oppose the advancement of the authoritarian rule of law. The road is now cleared for the HKSAR Government to introduce policies that can be used to boost its legitimacy and other legislative proposals to impose further control over Hong Kong people. The CCP can even act preemptively for the same purpose through the power of the returning officers to invalidate nominations of candidates on the ground that they fail to genuinely uphold the Basic Law, a requirement ill-defined.

Another major constraining power is the Hong Kong courts. Like other judges working in an independent court under an authoritarian system, Hong Kong judges now understand their own political constraints. The overriding power of the interpretations of the Basic Law

by the NPCSC cannot be questioned. If not, Hong Kong's judicial autonomy will have to face even greater danger (Tai, 2010).

Some of the Hong Kong judges choose to avoid controversial constitutional issues in adjudicating cases (Tai, 2002; 2007; Yap, 2007). Some others, along with some senior members of the legal profession, actively offer help to the CCP and the HKSAR Government by providing legal arguments to justify controversial constitutional decisions. Though all judgments of the court will be packaged by the judges as decisions made only in accordance with law, politics can hardly be separated from law especially in controversial constitutional matters.

As they are less likely to be challenged now, this is also why the CCP is readier to make controversial constitutional decisions to consolidate the authoritarian rule over Hong Kong. Legitimized by the courts of Hong Kong, it will be more and more difficult for the opposition camp to mobilize large-scale street actions to challenge these controversial constitutional decisions.

Another important constraining power or may be the most important power in opposing the authoritarian rule of law is the civil society of Hong Kong. Many young people and the more educated in Hong Kong are very dissatisfied with the authoritarian rule. Though nothing substantial can be achieved in the Umbrella Movement, they are looking and waiting for another opportunity to strike a breakthrough. The political red-line is being redrawn again and again to generate chilling effect in the society so as to prevent anti-authoritarian sentiments from spreading and escalating in the territory. The opposing forces must also be stopped from developing better coordination and organization among themselves. Threat may be the only tool that the CCP can use to suppress Hong Kong's mature and robust civil society though the effectiveness is in question.

6. Authoritarianism Not Yet; Semi-authoritarianism for How Long?

Facing the encroachment of the authoritarian rule of law, Hong Kong is still a semi-authoritarian system. Elements of thicker understandings of the rule of law still exist in Hong Kong and have not been eradicated yet. Limited elections are still being held. A substantial number of people in Hong Kong still embrace thicker understandings of the rule of law believing law should constrain governmental powers and protect fundamental rights of citizens.

The semi-authoritarianism in Hong Kong, however, is unstable (Ottaway, 2003). The CCP may want to stabilize semi-authoritarianism in Hong Kong so that things in the territory will not get out of control and threaten the authority of the CCP in the Mainland. If achieved, there would be no need for the CCP to make Hong Kong fully authoritarian. Whether this plan works will depend on how Hong Kong people face the challenges to Hong Kong's rule of law arising from the encroachment of authoritarianism in the territory. At least three things can still be done.

6.1. Elections

There are still limited elections being held in Hong Kong. With the continuous support of 50-60% of the votes in elections, the democratic camp still has a chance to bring a liberalizing electoral outcome (Howard and Roessler, 2006). Unlike other semi-authoritarian societies, it is not possible for the opposition camp in Hong Kong to form the government even if they can win the majority in the LegCo. Nevertheless, they should be able to slow down the process of authoritarianization in Hong Kong more effectively.

To do so, the opposition camp must put aside their differences and form a political coalition (Pop-Eleches and Robertson, 2015; Lindberg, 2009; Walle, 2006). In addition, the election bloc so formed has to

organize a comprehensive political campaign to achieve the following things. First, elaborate voter registration and voter turnout drives are to be orchestrated. Second, voters have to learn how to strategize their votes. Third, candidates from the opposition camp must be made more politically attractive to voters. Fourth, the opposition camp has to send a clear political signal to voters that it has a strong commitment to win and demonstrate to voters that it has the capacity to govern effectively. Fifth, a widespread sense that victory is possible must be created. (Bunce and Wolchik, 2010) These demands are high as the mobilization, unity, skill, and heroism needed are far beyond what would normally be required for electoral victory in a democracy (Diamond, 2002).

6.2. Elites

In addition to the judges, the legal professionals in the Department of Justice and administrators in other departments of the HKSAR Government responsible for exercising governmental powers to implement policies and laws are the elites of Hong Kong. The CCP still needs to rely on them to directly govern Hong Kong. It is hoped that at least some of the Hong Kong elites have not given up their commitment to defend the thick understandings of the rule of law even though they are now working in very unfavourable environments.

Like the reform-oriented elites in other authoritarian regimes, these Hong Kong elites may try to do something to defend the thicker understandings of the rule of law at the margins without directly impinging on the core interests of the authoritarian regime (Ginsburg and Moustafa (eds), 2008). In using their discretionary powers under the law, they can smartly and strategically protect or even create more political space for activists to continue their struggle by organizing deliberate, strategic and repeated social actions against the authoritarian rule.

If the civil society of Hong Kong remains to be active in upholding the thick understandings of the rule of law, the elites of Hong Kong may be able to shield themselves from further direct and indirect interferences from their authoritarian master and may even create opportunities for Hong Kong to revert to the democratic path at a critical moment in the future.

How many Hong Kong elites are prepared to do so is difficult to know. One thing is sure that after leaving their official positions, they are still citizens of Hong Kong like everyone.

6.3. Education

As the CCP aims to implant the authoritarian rule of law as the public understanding of the constitutional principle in Hong Kong replacing thicker understandings, one can say that the battlefield is actually a cultural one. We must do the same thing as the CCP by cultivating our desirable understanding of the rule of law in the community. Education is the key and it can take many forms. It can be legal education at all levels of education, from primary school to law school. It can also be creative and multi-dimensional social education through the media (Stromseth, Wippman and Brooks, 2006). These methods can bring cultural changes through a comparatively long habit-building process.

Social movement can be also another kind of education to bring long-lasting change in a culture (Lee, 2015). The injustice of the system can be dramatized by a social movement of civil disobedience in such a way that no people can ignore its existence (King, 1991). Civil disobedience challenges people's established beliefs, values and attitudes. They cannot escape from reflecting the meaning and significance of truth and justice (Haksar, 2003). New attitudes or consciousness may be formed after existing attitudes towards current

institutions are being questioned and seriously reconsidered (Lofkowitz, 2007). This is what has been achieved by the Umbrella Movement.

Even if the Umbrella Movement failed to bring about immediate institutional change, the foundation for future actions to bring about institutional changes has been laid by the cultural changes that the movement brought. At constitutional moment (Ackerman, 1991), civil disobedience can be used by people to transform the system extra-constitutionally.

During the semi-authoritarian era, social movement of civil disobedience is still the most sustainable method to defend the rule of law though the cost for breaking the law is much higher than during the semi-democratic time. Protesters in Hong Kong has to be smarter, prepare itself better and vigilantly wait for the constitutional moment to come.

It may be too optimistic to say that there can still be a very slight chance for Hong Kong to revert to the democratic path but there can still be hope if everyone in the community is willing to do something to defend the rule of law to prevent further encroachment of authoritarianism.

Note

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References

- Ackerman, B. (1991). *We the people*, Volume 2: *Transformation*. Cambridge, MA: The Belknap Press of Harvard University Press.
- Alton, The Rt Hon Lordship of Liverpool *et al.* (2017). A Letter to China: Hong Kong’s democrats should be honoured. *The Guardian*, 17 August 2017 (amended on 18 August 2017 to include new signatories). (Available at: <https://www.theguardian.com/world/2017/aug/18/a-letter-to-china-hong-kongs-democrats-should-be-honoured>, accessed on 11 June 2018.)

- Bunce, V. and S. Wolchik (2010). Defeating dictators: Electoral change and stability in competitive authoritarian regimes. *World Politics*, Vol. 62, No. 1, pp. 43-86.
- Chen, A. and A. Cheung (2004). Debating rule of law in the Hong Kong Special Administrative Region, 1997-2002. In: R. Peerenboom (ed.), *Asian discourses of rule of law*. London: Routledge.
- Cheung, A. and A. Chen (2004). The search for rule of law in the Hong Kong Special Administrative Region, 1997-2003. In: Wong Y.C. (ed.), *One Country, Two Systems in crisis*. Lanham, MD: Lexington Books.
- Diamond, L. (2002). Thinking about hybrid regimes. *Journal of Democracy*, Vol. 13, No. 2, pp. 21-35.
- Fong, B. (2013). State-society conflicts under Hong Kong's hybrid regime: Governing coalition building and civil society challenges. *Asian Survey*, Vol. 53, No. 5, pp. 854-882.
- Forsyth, C. *et al.* (2014). Academic Roundtable on Universal Suffrage and Nomination Procedures: Imperatives from Article 25 of the International Covenant on Civil and Political Rights (ICCPR) for the election of Hong Kong's CE. Organized by the Faculty of Law of the University of Hong Kong on 20 March 2014. (Available at: <http://www.law.hku.hk/ccpl/event/roundtable-article-25-iccpr/>, accessed on 11 June 2018.)
- Ginsburg, T. and T. Moustafa (eds) (2008). *Rule by law: The politics of courts in authoritarian regimes*. New York: Cambridge University Press.
- Haksar, V. (2003). The right to civil disobedience. *Osgoode Hall Law Journal*, Vol. 41, pp. 408-426.
- Hong Kong Bar Association (2017, December 28). Statement of the Hong Kong Bar Association on the decision of the NPCSC of 27 December 2017 on the co-operation agreement between the Mainland and the HKSAR on the establishment of the port at the West Kowloon Station of the Guangzhou-Shenzhen-Hong Kong Express Rail Link for implementing co-location arrangement. (Available at: <http://www.hkba.org/sites/default/files/201712>

- 28%20-%20Bar%20Co-Location%20Arrangement%20Statement%20%28English%29%20FINAL_0.pdf, accessed on 7 June 2018.)
- Howard, M. and P. Roessler (2006). Liberalizing electoral outcomes in competitive authoritarian regimes. *American Journal of Political Science*, Vol. 50, No. 2, pp. 365-381.
- Hui, P.K. and K.C. Lau (2015). "Living in truth" versus *realpolitik*: Limitations and potentials of the Umbrella Movement. *Inter-Asia Cultural Studies*, Vol. 16, Issue 3, pp. 348-366.
- Information Office of the State Council of the People's Republic of China (2014, June 10). The practice of the "One Country Two Systems" policy in the Hong Kong Special Administrative Region. (Available at: http://www.china.org.cn/government/whitepaper/node_7207387.htm, accessed on 7 June 2018.)
- King, M. (1991). Letter from Birmingham City Jail. In: H. Bedau (ed.), *Civil disobedience in focus*. London: Routledge.
- Krygier, M. (2016). The rule of law: Pasts, presents, and two possible futures. *Annual Review of Law and Social Science*, Vol. 12, pp. 199-229.
- Krygier, M. (2018). Why the rule of law matters. *Jurisprudence: An International Journal of Legal and Political Thought*, Vol. 9, Issue 1, pp. 146-158.
- Lee, F. (2015). Social movement as civil education: Communication activities and understanding of civil disobedience in the Umbrella Movement. *Chinese Journal of Communication*, Vol. 8, Issue 4, pp. 393-411.
- Lofkowitz, D. (2007). On a moral right to civil disobedience. *Ethics*, Vol. 117, pp. 202-233.
- Lindberg, S. (2009). A theory of elections as a mode of transition. In: S. Lindberg (ed.), *Democratization by elections: A new mode of transition*. Baltimore: John Hopkins University Press.
- Moustafa, T. (2014). Law and courts in authoritarian regimes. *Annual Review of Law and Social Science*, Vol. 10, pp. 281-299.

- Ortmann, S. (2015). The Umbrella Movement and Hong Kong's protracted democratization process. *Asian Affairs*, Vol. 46, No. 1, pp. 32-50.
- Ottaway, M. (2003). *Democracy challenged: The rise of semi-authoritarianism*. Washington, DC: Carnegie Endowment for International Peace.
- Pop-Eleches, G. and G. Robertson (2015). Information, elections, and political change. *Comparative Politics*, Vol. 47, No. 4, pp. 459-479.
- Rajah, J. (2012). *Authoritarian rule of law: Legislation, discourse and legitimacy in Singapore*. New York: Cambridge University Press.
- Stromseth, J., D. Wippman and R. Brooks (2006). *Can might make rights?: Building the rule of law after military interventions*. Cambridge: Cambridge University Press.
- Tai, B. (1999). The development of constitutionalism in Hong Kong. In: R. Wacks (ed.), *The new legal order in Hong Kong*. Hong Kong: Hong Kong University Press.
- Tai, B. (2002). Chapter One of Hong Kong's new constitution: Constitutional positioning and repositioning. In: M. Chan and A. So (eds), *Crisis and transformation of China's Hong Kong*. Armonk, N.Y.: M.E. Sharpe.
- Tai, B. (2007). Developing an index of the rule of law: Sharing the experience of Hong Kong. *Asian Journal of Comparative Law*, Vol. 2, pp. 89-109.
- Tai, B. (2010). Judicial autonomy in Hong Kong. *China Information*, Vol. 24, Issue 3, pp. 295-315.
- Tai, B. (2017). Rule of law and civil disobedience. In: M. Ng and J. Wong (eds), *Civil unrest and governance in Hong Kong: Law and order from historical and cultural perspectives*. New York and London: Routledge, pp. 141-162.
- Tushnet, M. (2015). Authoritarian constitutionalism. *Cornell Law Review*, Vol. 100, pp. 391-461.
- Walle, N. (2006). Tipping games: When do opposition parties coalesce. In: A. Schedler (ed.), *Electoral authoritarianism: The dynamics of unfree competition*. Boulder, Colo.: L. Rienner Publishers.

- Wong, S. (2015). *Electoral politics in post-1997 Hong Kong: Protest, patronage, and the media*. Singapore: Springer.
- World Justice Project (2017). World Justice Project Rule of Law Index 2017-2018 report. (Available at: https://worldjusticeproject.org/sites/default/files/documents/WJP_ROLI_2017-18_Online-Edition_0.pdf; accessed on 11 June 2018).
- Xi Jinping (2017). Secure a decisive victory in building a moderately prosperous society in all respects and strive for the great success of socialism with Chinese characteristics for a new era. (Delivered at the 19th National Congress of the Communist Party of China on October 18, 2017.) (Available at: http://www.xinhuanet.com/english/download/Xi_Jinping's_report_at_19th_CPC_National_Congress.pdf, accessed on 7 June 2018.)
- Yap, P. (2007). Constitutional review under the Basic Law: The rise, retreat and resurgence of judicial power in Hong Kong. *Hong Kong Law Journal*, Vol. 37, p. 449.
- Yuen, R. (2015). Speech by the Hon Rimsky Yuen, SC, JP, Secretary for Justice at the ceremonial opening of the legal year 2015 on 12 January 2015. (Available at: <http://www.doj.gov.hk/eng/public/pdf/2015/sj20150112e.pdf>, accessed on 11 June 2018).

Human rights in Hong Kong: One Country Looms as Two Systems Fade

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Abstract

Twenty-one years after Hong Kong reverted to Chinese sovereignty, the jury of China's experiment of "one country, two systems" is still out. But fears are growing. True, the city remains one of the freest economies. On the political and human rights front, chilly wind is blowing. The city's liberalism, respect for human rights, prospect for democracy and important systems and institutions including rule of law and independent judiciary are shrouded under a thickening air of uncertainty.

Keywords: *universal suffrage, national security, Umbrella Revolution, national education, press freedom, judicial independence, autonomy*

1. Introduction

On the face of it, Hong Kong is still a free city, the freest in China, 21 years after its reversion to Chinese sovereignty. Protests and petitions are not uncommon. Citizens dare to argue against police officers when being questioned, be it about a traffic rule or a street search, verbally without

fears of facing reprisals. On every June 4 since 1989, tens of thousands of people attend the annual candle vigil in commemoration of the Tiananmen Square crackdown victims at the Victoria Park, Hong Kong's central park. On July 1, an often sizeable procession stages a march in Hong Kong Island to voice out their aspirations for democracy, freedoms and a raft of policy changes. Falun Gong (法輪功), a spiritual-cum-physical exercise campaign that was banned in the mainland, is allowed to operate in the city. Beneath the surface changes are bubbling, however.

A closer look at the city's social and political scene reveals a far more complex and increasingly bleak picture of Hong Kong's rights and freedoms, now blanketed by an air of jitters and worries. In April 2018, a coalition of 45 civil society groups jointly submitted more than 100 suggestions to the United Nations relating to Hong Kong's "deteriorating rule of law and human rights environment". It was made to the UN Human Rights Council for the third Universal Periodic Review (UPR) on China, which will take place in November and will be attended by Hong Kong government officials.¹ The last UPR was held in 2013. Since the 1997 handover, the University of Hong Kong Public Opinion Programme has conducted tracking survey on a range of issues relating to the changeover. One finding shows that a combined total of 36 per cent of respondents on average in the first half of 2018 are either "very positive" or "quite positive" when asked about the government's performance in the protection of rights and freedoms. A combined total of 49 per cent of respondents on average are either "very negative" or "quite negative" about the government's performance. Eleven per cent say "half-and-half". The net value of the satisfaction rating was 12.5 per cent. The corresponding figure in the second half of 1997 was 0.2 per cent.²

In a letter to Hong Kong Chief Executive Carrie Lam Cheng Yuet-ngor (林鄭月娥) days before July 1, 2018, the New York-based Human Rights Watch warns that Hong Kong's protection of civil and political rights is deteriorating at a quickening pace. Sophie Richardson, China director at Human Rights Watch, said: "From publicly intimidating an academic for his peaceful speech to barring pro-democracy figures from public office, what emerges is a chilling offensive against basic rights in Hong Kong." Human Rights Watch wrote to Lam in 2017, calling on her to protect freedoms in Hong Kong. The New York group said Lam had replied at that time, saying the "contents are noted."³

2. China Tightens Grip

The year 2017 marks a milestone in the city's political journey; it marks the 20th anniversary of its reversion to Chinese sovereignty and implementation of the "one country, two systems" policy since then. To mark the occasion, Xi Jinping (習近平) paid his first visit to the city in his capacity as State President. Dubbed by some Western media as "Emperor Xi", it was an emperor's inspection trip in many aspects. The words he uttered during his three-day visit have become an order on Hong Kong policy from Zhongnanhai (中南海). Xi's power was further consolidated at the national plenum of the Chinese National People's Congress (NPC) in March 2018. At the plenary session, he was re-elected as President with a vote of 2,969 to one. An amendment to the Chinese Constitution was approved, lifting the two-term cap on the length of the tenure of President. It restored the life tenure system that late Chinese leader Deng Xiaoping (鄧小平) had scrapped, paving the way for Xi's continued leadership after his second term ends. The perpetuation of Xi's leadership means the hard-line policy of Beijing towards Hong Kong in recent years will remain unchanged. That does

not augur well for the city's civil rights and liberty.

In his speech delivered at the inauguration ceremony of the Carrie Lam administration, Xi has reiterated that the central authorities would adhere to the policy of “one country, two systems” unswervingly. Second, he said they would stick to the correct direction of fully and accurately implementing the policy in Hong Kong to ensure it has not “deformed”. Xi's speech has set out the “bottom-line” and “red-line” of the “one country, two systems” framework.⁴

Xi maintained that matters relating to central-SAR relations must be correctly handled firmly under the principle of “one country”. The thinking of “one country” should be firmly established, he said. Any activities that pose a danger to national security, challenge to the power of the central authorities and the authority of the Basic Law and use Hong Kong to infiltrate the mainland are deemed as a challenge to Beijing's “bottom-line”. “(They) must not be allowed,” he said. The persistence on the principle of “one country” and the respect for the differences between the “two systems”, he said, should be “organically integrated” with the upholding of the power of the central authorities, the safeguarding of Hong Kong's high degree of autonomy and the enhancement of the city's competitiveness through the backing of the motherland. At no time, he said, the endeavour should be abandoned.

3. Democracy Delayed Indefinitely

Beijing's move to redefine the “one country, two systems” policy could be dated back to 2014 when the State Council published the White Paper on the Implementation of One Country, Two Systems. Later that year, the Chinese NPC announced a decision on universal suffrage in Hong Kong on August 31. It was dubbed as “8.31 decision” since then. Critics branded the NPC decision as “fake universal suffrage” because it was

too restrictive. Under a screening mechanism in the NPC decision, any candidate who does not have the blessing of the central authorities, from whom the majority of the Election Committee members take the cue in the nomination process, will not possibly get enough nominations to become a formal candidate. The intransigence of Beijing over their proposed restrictions on universal suffrage had sparked the Umbrella Movement in 2014. Pro-democracy activities had succeeded in galvanising the public in staging a 79-day protest at the heart of the Hong Kong Island and Kowloon, bringing traffic to a standstill and causing inconvenience to daily life. But both the central and Hong Kong governments had not caved in. The movement was ended in a failure. Beijing stood firm on the “8.31 decision”, leaving no room for changes to the government electoral blueprint. As expected, the government’s electoral proposal, which mirrored the NPC decision, was vetoed at the Legislative Council when the pan-democrat lawmakers exercised their power of veto by the minority as provided in a Basic Law provision. Under the provision, any changes of the electoral arrangements for the chief executive and the legislature must be approved by a two-thirds majority of members at the legislature. The pan-democrats held more than one-third of Legco seats, enough to block the passage.

Following the electoral reform fiasco, both the then Leung Chun-ying (梁振英) administration and the central government had given no indication of an early restart of the reform drive. Beijing refused to rethink the “8.31 decision”, saying it would be the only electoral package on the table even when political reform is resumed. Carrie Lam, who succeeded Leung as the Chief Executive in July 2017, said she had no plan for political reform in her five-year term. With no timeframe given, the ultimate goal of universal suffrage for the chief executive, not to mention the full legislature, as stated in Basic Law Article 45, has become increasingly elusive.

4. Moving Backward

Promulgated in 1990, the Basic Law has laid down a 10-year-long timetable of incremental democracy after 1997. It does not specify the electoral arrangements for post-2007 Hong Kong, leaving room for a switch to full democracy with the chief executive and all members of the Legco being elected by “one person, one vote” voting system. Although full democracy had never happened in 2007, the NPC Standing Committee made a surprise decision then by giving a promise of universal suffrage by 2017 at the earliest possible time. When the promise was given in 2007, doubters had already warned against premature celebration. They were proved to be correct.

The five-year reign of Leung Chun-ying as the Chief Executive from 2012 saw a marked change of mind in Beijing towards the city’s gradual democratisation. One watershed event was the students-led protest against the introduction of national education curriculum in secondary schools beginning from 2012. A protracted demonstration outside the Government Headquarters and boycott of classes had prompted Leung to back down by shelving the curriculum change plan indefinitely.

The introduction of national education in the curriculum of secondary schools came five years after the then Premier Hu Jintao (胡锦涛) paid a visit to the city in 2007. He said during his visit to the city national education for young people should be stepped up. Ten years after the sovereignty changeover, Beijing felt unease that the “hearts” of Hong Kong people had not yet returned to the motherland.

Against that background, it is not surprising that the shelving of the curriculum change has stoked Beijing’s fears about what they deemed as the growing feeling of alienation from the mainland prevalent in some quarters of the society. The emergence of localism, the notion of self-determination and Hong Kong independent sentiments has deepened

the anxieties of Beijing. Already obsessed with fears about pro-independence sentiments, the highly provocative acts and words of two Youngspiration (青年新政) legislators-elect when they took their oaths had infuriated the mainland authorities and the pro-Beijing camp. Their antics had given a Godsent case for Beijing to seek judicial review to disqualify the pair. They are Sixtus Leung Chun-hang (梁頌恆) and Yau Wai-ching (游蕙禎). The pair's antics, featured anti-China slogans and banners in the Legco chamber on October 12, 2016, prompted Beijing to issue an interpretation of the Basic Law, and make such offences punishable by disqualification. In August 2017, the Court of Final Appeal rejected their bid for an appeal.

The case centred on parts of the Oaths and Declarations Ordinance and the Basic Law dealing with requirements for solemnity and sincerity in oath-taking, and whether the court should interfere with the legislature.

Riding on the success of the bid to kick out Leung and Yau, the Government sought judicial review of four other pan-democratic legislators in 2017. They succeeded. The four are Leung Kwok-hung (梁國雄), who is better known as "Long Hair" (長毛), Lau Siu-lai (劉小麗), Edward Yiu Chung-yim (姚松炎) and Nathan Law Kwun-chung (羅冠聰). They were ruled to have failed to meet the requirements for solemnity and sincerity in declaring their commitment to uphold the Basic Law and "one country, two systems" in their oaths.

The move to disqualify legislators-elect before and even after they took office had prompted the central authorities and the Hong Kong Government to adopt the same tactic in the nomination process of elections. One notable case saw the disqualification of Agnes Chow Ting (周庭), a leader of a students' group, Demosistō (香港眾志), from running for a Legco by-election following the ousting of Demosistō's Nathan Law. Chow had been seen as the natural candidate to bid for the

seat left vacant after Law lost his seat. Chow's bid was thwarted. A government officer in charge of electoral matters had argued that Demosistō, which has close ties with students and young leaders, had stated self-determination on their platform. The options for people to decide on their own include independence. Chow has insisted she did not support Hong Kong independence. Chow has lodged an appeal against the returning officer's ruling. No date has been fixed at the time when this article went to press.

"DQ", the shortened term for disqualification, became the city's political buzzword, fuelling fears that political aspirants whom Beijing has ruled to have crossed the political "red-line" would be barred from standing for elections. Their right of being elected, an important part of political right, would in effect be denied. That could put enormous pressure for them to censor their own political views to avoid being blocked in their pursuit of elected seats. As a result of that, the room of freedom of expression could shrink.

Their fears are not unfounded. In March 2018, Tam Yiu-chung (譚耀宗), the only Hong Kong delegate who sits on the NPC Standing Committee, caused a stir when he said people who have chanted the slogan, "end one-party dictatorship", should not be allowed to run for Legco election. He said that could happen following an amendment of the Chinese Constitution at a NPC plenum ended that month. Under the amendment, the ruling Chinese Communist Party has become an integral part of the socialist system in the Constitution. To call for an end of the Communist Party rule could therefore be deemed as a violation of the Constitution, thus making anyone who said so not eligible for being a lawmaker in the Hong Kong SAR.

Tam's remarks are indicative of a trend of growing intolerance of Beijing towards criticism against the ruling party. The trend represents a marked deviation from the tone and substance of words uttered by late

patriarch Deng Xiaoping in the 1980s when the city began its journey of return to the motherland. Deng had said the Communist Party was not afraid of being criticised, adding that Hong Kong people could continue to blast the Party. “The Chinese Communist Party will not collapse because of criticism,” he said.

5. Right to Stage Rallies under Cloud

The first of July 1997 marks the city’s reversion to Chinese sovereignty. But beginning from 1998, July 1 has become a special day in Hong Kong. Every July 1 since then, people from different walks of life have held a protest to vent out their grievances, at times anger, towards the government at that time. In 2003, the July 1 march made history. More than half a million people took part. It was described as a perfect storm with pent-up anger towards the Tung Chee-hwa (董建華) administration, ignited by an unpopular national security bill, exploded. The rest is history.

Seen as a political barometer of the city, the July 1 rally has also been rightly seen as a sign of Hong Kong being a free society with freedom of expression and rallies. Though unwelcome, the annual protest, like the annual June 4 candlelight vigil, has been cited as evidence that shows people are still free to demonstrate.

But signs are aplenty that the government has tried to adopt administrative tactics to restrict the right to freedom of expression. Take the case of the open area outside the main entrance of the Government Headquarters in Tamar at the Wan Chai (灣仔) waterfront in Hong Kong Island. Dubbed as the “civic square”, the open area was the site of sit-in by a group of protesters led by student leader Joshua Wong Chi-fung (黃之鋒) at the end of a demonstration against the national education curriculum in 2014. The sit-in was followed by the outbreak

of the Umbrella Movement in the area. The “civic square” was since then cordoned off for the public. It was reopen to the public after Mrs Lam took office. But protests are not allowed on weekdays.

A more obvious case of the exercise of administrative power to put restrictions on demonstration and rally is about the venue for assembly of the July 1 rally. Traditionally, the rally started with an assembly at the football fields of the Victoria Park before the procession marched from there to the Government Headquarters in Admiralty. For two consecutive years since 2017, the Government had rented all the six football fields to a pro-Beijing group for them to hold celebrations to mark the reversion of sovereignty. The Government explained charity organisations are given priority to the use of their venues and facilities. Critics have questioned whether the pro-Beijing group should be classified as charity body and why all the fields should be given to one organisation. The government’s move gave rise to speculation that it is a politically motivated move aimed to cause inconvenience to the July 1 protesters.

Calls for a ban on the July 1 surfaced on the eve of the July 1 rally in 2018. On June 21, the pro-Beijing *Ta Kung Pao* (大公報) said in its editorial that the July 1 rally was “clearly in violation of the law and the Constitution”, aimed to resist against China and cause chaos in Hong Kong.”⁵ The editorial questioned why it had not been banned. In a clear departure from the Government’s previous stance, Mrs Lam issued a statement at the end of the rally, echoing the basic position of the *Ta Kung Pao* editorial. In her statement, she warned against any slogans that do not respect “one country”, ignore the constitutional order, are exaggerating and factually wrong and misleading, adding that they do not conform with the overall interest of Hong Kong and not conducive to its development. Mrs Lam was referring to one of the two theme slogans of the 2018 July 1 march, which says, “end one-party dictatorship”. In previous years, the Government had stressed in their post-rally

statements that the Government respected people's freedom of expression and demonstration.

6. Article 23 Looks Set To Be Back

The rise of pro-independence sentiments during the five-year reign of Leung Chun-ying has re-ignited calls for the Government to resume the enactment of a law aimed to safeguard national security as prescribed in Article 23 of the Basic Law. Legislative work of a national security bill was shelved indefinitely in July 2003, days after the 500,000-strong rally. The then Tung Chee-hwa administration and the government led by his two successors, Donald Tsang Yam-kuen (曾蔭權) and Leung, had made no attempt to resume the legislative work. Nor Lam has given a timetable of a renewed exercise. Changes of the mood of Beijing and the pro-Beijing camp in Hong Kong, however, have become apparent in recent years. Though stopped short of giving a deadline, they said the Government should enact the legislation as soon as possible.

In her election manifesto, Mrs Lam has stressed that the SAR government is obligated to enact a law in accordance with Article 23. She said that should be done in a prudent manner after careful consideration. If elected, Mrs Lam said she would try to create an environment conducive to legislative work. She did not give a timetable. Speaking at a radio programme in December 2017, she said she would double her effort to improve the economy and livelihood. Mrs Lam said she would try to remove the negative stigma of Article 23. She said: "Do not demonise Article 23," asking, "isn't it a good thing to protect national security?"

While Mrs Lam is vowing to "de-demonise" Article 23 and playing the "good guy" by stressing that there is no timetable of Article 23, central government officials and pro-Beijing figures are eagerly keen to

play the “bad guy”, drumming up public support for an enactment of national security law. Li Fei (李飛) paid a visit to Hong Kong in November in his capacity as chairman of the Basic Law Committee before he stepped down from the post in 2018. During the visit, he made an explicit statement that the failure of an enactment of national security law has clearly brought about “negative impacts”. He did not specify. A row over the remarks made by University of Hong Kong law professor Benny Tai Yiu-ting (戴耀廷) in Taiwan in March has ignited another round of calls for an early resumption of legislative work on Article 23. Envisioning the arrival of democracy in China, Tai said all nationalities including Hong Kong people should be given the right to decide their own future. He said options included a confederation, federation and independence. Although he emphasized that he did not support independence and that the options are aimed for academic debate, the central and Hong Kong government took it seriously. They issued separately statements to condemn Tai for making pro-independence remarks, fuelling speculation that the return of Article 23 legislation to the legislative agenda during Lam’s first term should not be ruled out.

7. Act Tough on the Opposition

Even without a national security law, the Government has played hardball with the opposition pan-democrats during the Leung administration. While heeding Beijing’s calls for handling the Umbrella Movement and Mong Kok (旺角) riot cases strictly in accordance with the law, Leung had invoked draconian laws to take the activists to court. The three initiators of the Umbrella Movement, namely Benny Tai, Chan Kin-man (陳健民) and Reverend Chu Yiu-ming (朱耀明), are facing three counts including conspiracy to commit public nuisance, inciting others to commit public nuisance, and inciting others to incite others to

commit public nuisance. In the Mong Kok case, Edward Leung Tin-kei (梁天琦) was sentenced to six years in jail on June 11, 2018 for rioting. The sentencing has been widely criticized by the pan-democrats as too harsh. Last governor Lord Patten criticized the Government for using the Public Order Ordinance against the political opposition. He said in a statement that he did not criticise the sentence, but the “existence and use in this case of a Public Order Ordinance, which is a direct contravention of the International Covenant on Civil and Political Rights, to which the Hong Kong government is allegedly committed under the Basic Law.”⁶

Inside the Legislative Council, the power of the pro-democratic opposition has been further weakened after the legislature approved changes to their Rules and Procedures that govern the operation of the legislative body. The amendment was made possible after six pan-democrat legislators were disqualified because a court had declared their oath as invalid. With six seats lost, the pan-democrats lost their power to veto the amendments moved by the pro-establishment camp in late 2017. One of the usual tactics adopted by the pan-democrats to counter the government and their friendly lawmakers was to adopt filibustering within the parameters of the rules to put pressure on the Government over bills and other public finance matters. That power has been significantly weakened.

8. Judicial Independence Faces Challenge

Justice Kemal Bokhary, a non-permanent judge of the Court of Final Appeal, has warned when he retired as a permanent judge of the final appellate court in 2012 that the rule of law in Hong Kong faced “a storm of unprecedented ferocity”. He said voices disrespecting the city’s autonomy were getting louder and louder. Speaking at a lunch talk in

April 2016, he said his fears expressed in 2012 have been realized. He said a judicial system is standing tall among the storm, the Chinese-language *Hong Kong Economic Journal's* website reported.⁷

In 2018, dark clouds were gathering over the city's independent judiciary. In May, the judiciary received photos of four members of a nine-member jury taken at a hearing of a case relating to the Mong Kok riot in 2016. The jury was discussing the verdict of five people charged with rioting, including a localist group spokesman Edward Leung Tin-kei. In an email, the sender/s said they have had more photos of the jury. Police was still investigating the case when this article went to press. It has been rightly seen as a challenge to the authority of the judiciary.

In April, a legislator from the pro-Beijing Democratic Alliance for the Betterment and Progress of Hong Kong (民主建港協進聯盟) has demanded a public hearing on the appointment of two foreign non-permanent judges to the Court of Final Appeal. Holden Chow Hoding (周浩鼎) has argued that the two female judges from Canada have publicly supported equal rights for sexual minorities. He said the two judges should refrain from handling sexual discrimination cases in future. His move is seen as an attempt to interfere with independent judiciary.

Foreign judges have also faced with criticism against their alleged bias towards radical activists. In an article published in the Chinese-language *Ming Pao* (明報) on March 3, 2017, Tian Feilong (田飛龍), a law professor and a member of a semi-official think tank in Beijing, accused foreign judges of being lenient towards the radicals. He accused foreign judges of condoning the proliferation of radical politics, separatism and pro-independence thinking. "This is not conducive to the maintenance of stability and prosperity." Tian called for the gradual reduction of foreign judges. In January, a magistrate, who is Hong Kong-born Indian, suffered from racial discrimination after she sentenced a

senior police officer convicted of assault on a man during the Mong Kok riot in 2016 to three months in jail.⁸

9. Press Freedom and Publication Jitters Grow

Figures speak. In its first Press Freedom Index Survey published in 2002, the Paris-based Reporters Without Border put Hong Kong in the 54th place. Hong Kong slipped to 70th in the 2018 survey. China ranked 176th. Hong Kong Journalists Association published its annual “Press Freedom Index” in April 2018. Of total points 100, the general public gave an average 47.1 points in the last 12 months, down by 0.9 points from the previous year. It is the lowest score since the survey was launched in 2013. Journalists’ rating was 40.3 points, up by 0.9 points compared with the previous year. Still, it falls below the 50-point Pass Level. In the same survey, 73 per cent of journalists who responded said press freedom has gone backwards. The survey shows most journalists and members of the public said pressure from the central government is the major factor that undermines press freedom. Other factors are self-censorship and pressure from media proprietors.⁹

Journalists and the public fear self-censorship getting worse because of political pressure applied directly or indirectly behind the scene to media proprietors or chief editors. The fact that many media owners have had close political and business ties with the mainland has deepened the concerns about self-censorship. Their fears are not difficult to understand. There have been occasional cases of alleged self-censorship by the media over such stories as June 4 archives and alleged business interests of people in Hong Kong associated with Chinese Communist Party leaders. Although most cannot be fully confirmed, media professionals say they have rung some truth.

In Western countries, media plays the role of watchdog, or Fourth Power. They bark and bite against bad government and corrupted businesses; they exercise checks and balances over the exercise of powers. A free press is an integral part of the British colonial legacy and the city's systems. In China, a free press remains a pipe dream. Media is strictly under the control of the ruling party as part of its tool of political and ideological control. The gulf between the mainland and Hong Kong over the concept and function of the press remains wide. Beijing's tolerance of a free and independent press in Hong Kong seems to have worn thin as they feel adamant that the city has been given too much freedom. To be fair, there has been no new law being enacted to gap the media after 1997. Jitters about the shrinking room for a free press are growing. In addition to the increasing likelihood that legislative work on Article 23 will resume in the next couple of years, the government's delay in enacting laws on archives and information access has not helped boost confidence in their commitment to openness and accountability.

The China factor featured with mystery and scare in the so-called "missing booksellers case", which has sent shockwaves through the publication sector and society at large. It raised concerns about freedom of publication and distribution of books that Communist Party leaders do not like. In 2015, five publishers who ran a bookstore in Causeway Bay went missing separately. Some were last seen in Hong Kong. One disappeared in Thailand. Their bookstore was famous for selling books about political struggle in the Chinese Communist Party. Their books also included the alleged private life of Xi Jinping. They eventually turned up in the mainland under the custody of public security officers.

10. The Jury Is Out; the Picture Gloomier

Before 1997, political watchers and pundits had given different predictions about the post-handover Hong Kong. One widely held view was encapsulated in the famous cover story of the *Fortune* magazine in an edition in 1995, whose headline read “The Death of Hong Kong”. Its prediction was simple and daunting: “It’s over.” Optimists predicted Hong Kong could become an agent of positive change in the 1.4 billion-populated nation after the reintegration, likening the city to a “colossal Trojan horse”. Both scenarios did not happen. The death of China’s leading dissident Liu Xiaobo in 2017 while serving an 11-year-long jail sentence after being convicted of subversion says volume about the country’s dismal record of human rights. It has sent a grim reminder to Hong Kong people about the wide gap between the city and the mainland over human right issues.

Twenty-one years on, the jury is still out; the picture is getting more complex and bleak. Hong Kong remains the freest economy. But on the political and human rights front, chilly wind is blowing. The city’s liberalism, respect for human rights, prospect for democracy and important systems and institutions including rule of law and independent judiciary are shrouded under a thickening air of uncertainty.

Notes

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1. Full article “45 civil groups decry Hong Kong’s ‘deteriorating rule of law and human rights environment’ in UN submission”, *Hong Kong Free Press*, April 10, 2018, can be found at: <<https://www.hongkongfp.com/2018/04/10/45-civil-groups-decry-hong-kongs-deteriorating-rule-law-human-rights-environment-un-submission/>>.
2. Full results of survey are available at HKU POP site (Public Opinion Programme, The University of Hong Kong / 香港大學民意研究計劃): <<https://www.hkupop.hku.hk/chinese/popexpress/sargperf/hr/halfyr/datatables.html>>.
3. The full letter of Human Rights Watch can be found at: <https://www.hrw.org/sites/default/files/supporting_resources/180627_hrw_letter_carrie_lam.pdf>.
4. Xi Jinping’s full speech given in Hong Kong on July 1, 2017, can be found at “Full text of President Xi Jinping’s speech on ‘one country, two systems’ and how China rules Hong Kong”, *South China Morning Post*, July 1, 2017 <<https://www.scmp.com/news/hong-kong/politics/article/2100856/full-text-president-xi-jinpings-speech-one-country-two>>.
5. See *Ta Kung Pao* (大公報) dated June 21, 2018.
6. “Chris Patten: Hong Kong’s use of public order legislation to restrict freedoms flouts UN obligations”, *South China Morning Post*, June 26, 2018, at: <<https://www.scmp.com/comment/letters/article/2152470/chris-patten-hong-kongs-use-public-order-legislation-restrict>>.
7. See a related article “My fears about rule of law have been realized, senior judge says”, *EJ Insight of Hong Kong Economic Journal* (信報財經新聞) at: <<http://www.ejinsight.com/20160419-my-fears-about-rule-law-have-been-realized-senior-judge-says/>> published on April 19, 2016.

8. Tian Feilong's article "香港「客卿司法」之反思 (文: 田飛龍)", *Ming Pao* (明報新聞網), can be found at: <https://news.mingpao.com/ins/instantnews/web_tc/article/20170303/s00022/1488503149078> published on March 3, 2017.
9. Full Press Freedom Index survey can be found at the website of Hong Kong Journalists Association, <<https://www.hkja.org.hk/en/survey-report/hong-kong-press-freedom-index/>>.

Hong Kong Youth Radicalization from the Perspective of Relative Deprivation

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Abstract

The aim of this paper is to highlight the influence of relative deprivation (RD), observed amongst a number of Hongkongese youth, on the process of radicalization of Hong Kong politics. The thesis of this paper is that the political radicalization of youth, noticeable particularly in recent years (e.g. more violent protests, the growth of nativist and localist organizations and the flourishing idea of self-determination of Hong Kong), can be an effect of RD. The findings conclude that the feeling of deprivation amongst youth refers to two spheres: “political values” and “welfare values”. The former concern the expectations of democratization of the political system and the latter relate to the feeling of dismantling the economic status and cultural identity of Hongkongers. The results of this paper are based on a small-range qualitative research (focus groups, in-depth interviews) conducted in April 2014, November 2015 and September 2016 on the group of HK students, scholars, journalists, and politicians. The analysis leads to the conclusion that without real changes in the political system of Hong Kong, the level of radicalization might further increase in the coming years.

Keywords: *relative deprivation, political radicalization, contentious politics, Hong Kong politics*

1. Introduction

In recent years, one could observe more transgressive instruments of manifestation of own political ideas by the young citizens of Hong Kong. Only since 2014, the region has been the witness of events such as the so-called “Umbrella Movement”, “Fishball Revolution”, “March to the Immigration Department”, and others, including a few anti-parallel trading protests. Since 2006, the number of demonstrations has been rapidly growing (HK Police Force, 2017). Furthermore, the protests become increasingly more violent each year. The justification for the use of violence among Hongkongers is becoming more noticeable (Cantoni *et al.*, 2017: 8). Thus, the support for the nativist and localist parties and the idea of self-determination of Hong Kong can be another visible sign of the growing political radicalization of the youth.

The main thesis of this paper is that the political radicalization of young Hongkongers manifested in recent years (the youth here is understood as the citizens in the age of secondary school pupils and students) can be an effect of relative deprivation. Although the theory of relative deprivation passes through a period of criticism (due to the difficulties of empirical verifiability and lack of precise explanation of process of transition from feeling of deprivation to collective actions; Brush, 1996), the author assumes that it can be useful to highlight some aspects of the more transgressive forms of contention in Hong Kong. Furthermore, according to the author, the feeling of deprivation amongst a part of the youth refers to two spheres: “political values” and “welfare values”. The former concerns the expectations of democratization of the

political system and the latter relates to the feeling of dismantling the economic status of Hong Kong and the cultural identity of Hongkongers. In the case of political values, RD is close to the so-called “progressive deprivation” (a situation where the degree of realization of political values, e.g. democratization, noticeably diverges from the gradually increasing aspirations of “pro-democracy organizations”). Among the previously mentioned welfare values, we can observe a situation of “decremental deprivation”, a phenomenon in which expectations remain constant but the possibility of obtaining those values (capabilities) is falling (there is no possibility to meet the social and economic needs of the society and preserve own cultural identity).

Relative deprivation is thus tied to the feeling of anger and frustration (Grant *et al.*, 2015). Over the last two decades, researchers have confirmed the relationship between the feeling of anger, frustration and resentment with the engagement in protest actions. For example, Peter R. Grant *et al.* demonstrated that the stronger a negative emotional reaction of anger, frustration and resentment is, the more likely it is for the people to take part in protests.

The results of this paper are based on the qualitative research (focus groups, in-depth interviews) conducted in April 2014 (seven students of HKBU – representing Political Science studies and European studies; 4 women, 3 men; 6 students born and raised in HK, 1 student from Mainland China), November 2015 (seven students of HKBU – representing Political Science studies and European studies; 5 women, 2 men; all students born and raised in HK), and September 2016 (first focus group consisted of 9 students of HKBU – representing Political Science studies, European studies and Communication studies; 5 women, 4 men; 7 students born and raised in HK, 1 student from Mainland China, 1 student born in Vietnam; second focus group with 8 students from Department of Politics and Public Administration of HKU

– 6 women, 2 men; all born and raised in HK), as well as on a small-range quantitative research in the months of March-September 2016 on a group of 66 students representing 12 universities and educational institutions.

2. Political Radicalization of Young Hongkongers

The research on political radicalization has flourished over the recent years. To a large extent, it is concentrated on the study of violence and terrorism. In this paper, however, radicalization is understood rather through the prism of the concepts derived from the studies of “social movements” and “collective actions”. I assume that we can, and should, develop concepts regarding the situation of young people in Hong Kong not only from the domain of “social movements” but also from the “political radicalization” framework.

The political radicalization in Hong Kong can be close to the definition of Doug McAdam, Sidney Tarrow and Charles Tilly (McAdam, Tarrow and Tilly, 2004: 69) – “the expansion of collective action frames [which leads] to more extreme agendas and the adoption of more transgressive forms of contention”. The authors do not assume, therefore, that violence is a necessary feature of radicalization. In fact, this phenomenon, also referred to as “transgressive form of contention”, depends on actual forms of collective behavior (in some cases, for example, street riots can be seen as a growing radicalization of protesters but in a situation of more violent contention, minor clashes with the police do not necessarily constitute radical resistance).

In order to understand the political radicalization in Hong Kong, one can quote Ted Gurr’s. According to him, radicalization occurs when:

the group has been mobilized in pursuit of a social or political objective but has failed to make enough progress toward the objective to satisfy all activists. Some become discouraged, while others intensify their efforts, lose patience with conventional means of political action, and look for tactics that will have greater impact.

(Gurr, 1990: 87)

In order to analyze the political situation in Hong Kong, however, it is important to distinguish between “radicalization of opinion” and “radicalization of action”, as psychologists have underlined that “radicalization to extremist opinions is psychologically a different phenomenon from radicalization to extremist action” (McCauley and Moskaleiko, 2017: 211). Political attitudes thus do not automatically transform into actions; “becoming a terrorist was not always a natural or linear progression from being a radical” (Bartlett, Birdwell and King, 2010: 12). Furthermore, Mohammed Hafez and Creighton Mullins (2015) stress that in order to produce terrorist action four factors need to come together: grievance, networks, ideology, and enabling environment. Fathali M. Moghaddam (2005), in turn, illustrates the radicalization process in a metaphor of a six-floor narrowing staircase: the ground floor is the feeling of relative deprivation; the first floor is the search for options and solutions; the second floor is the anger and hostility against those who are perceived as responsible for the injustice; the third floor is the moral justification of terrorism; the fourth floor is recruitment to the terrorist group; and the fifth floor are terrorist actions. The transformation from radical opinions to radical actions thus starts somewhere between the third and the fourth floor. I am of the opinion that we can use this model to analyze not only terrorism but also violence. In such case, a part of the Hong Kong youth is already on the

third floor – the level of normative and utilitarian justification for violent actions.

According to McCauley and Moskalenko, on the other hand, radicalization can be illustrated as a pyramid where, at the base, are individuals who do not care about the particular political cause (*neutral*); higher, are those who believe in the cause but do not justify violence (*sympathizers*); one level up are those who justify violence (*justifiers*); and at the top are those who “feel a *personal moral obligation* to take up violence in defence of the cause”. In this “action pyramid”, at the base, there are those who do nothing for a political group or cause (*inert*); higher, there are those who are engaged in legal political actions (*activists*); one level up, there are those who have engaged in illegal actions (*radicals*); and at the top of the pyramid, are those who target civilians (*terrorists*).

When considering political radicalization in the way mentioned above, we can stress that, in Hong Kong, in recent years, the political radicalization (both of opinion and of action) and the deepening of the already existing cleavages is being observed. By 2012, mass marches on July 1 (the date of the acquisition of sovereignty over the region by the PRC) or candles in the apartment windows on June 4 on the anniversary of the Tiananmen Square massacre were the peaks of the social discontent. Currently, violent clashes with the police are reported. Until 2012, movements for the self-determination of the region had barely existed; now, the demand for the “city-state” conception propagated by Chin Wan’s work *Theory of the Hong Kong city-state* (Chin Wan, 2011) is becoming increasingly popular¹. Until 2014, the opposition parties had been of a more anti-establishment nature; now, they are becoming anti-system (according to Giovanni Sartori’s theory, it means that they undermine both the legitimacy of the system and the foundations supporting it).

Taking into consideration the model of McCauley and Moskaleiko, a part of the youth in Hong Kong justifies violence and is ready to take up actions in “defense of the cause”. On the action pyramid, there are some youths who can already be seen on the level of “radicals”.

Another “new” phenomenon in Hong Kong is the manifestation of signs of reluctance and even aggression towards Chinese citizens coming to Hong Kong. The Hong Kong citizens stress the differences in behavior of the Chinese mainlanders who are accused to be loud, to eat food in public transport, push themselves into queues, and relieve physiological needs in public places. Another commonly mentioned example is the lack of respect for established rules (e.g. in the workplace). Moreover, during protests, accusations are raised against immigrants from China that they raise the prices of consumer goods and reduce the availability of some public services, e.g. in the healthcare system or in the primary and secondary education.

Since September 2012, there have been regular protests against “parallel trading”² (反水貨客示威). The first protest of this kind, in the district of Sheung Shui (上水), involved more than 100 people. The subsequent protests in February and March 2015 in Tuen Mun (屯門), Sha Tin (沙田) and Yuen Long (元朗) were the most serious, with some protesters being arrested and pepper-sprayed, and batons being used by the police in order to disperse the demonstrators. The protests were organized by associations such as the Hong Kong Indigenous and Civic Passion, as well as groups organized through Facebook under the slogan “Reclaim Hong Kong, Defend The Local” (「光復香港，捍衛本土」).

Different systems of values and the concerns of Hong Kong citizens intensify tensions and conflicts. The aforementioned examples of behavior of Chinese mainlanders have repeatedly sparked off high-profile media debates. After 1997, these behaviors gave rise only to

negative comments of Hong Kong citizens; however, nowadays, organizations describing themselves as “nativist” and “local”, which have appeared in Hong Kong over the recent years, have been running very loud demonstrations against the immigration from PRC.

Furthermore, one of the most spectacular signs of radicalization is the so-called “Fishball Revolution”³ (魚蛋革命), during which more than 120 people were injured. The accompanying riots in the Mongkok (旺角) district in 2016 during the Chinese New Year holidays were sharply condemned not only by the Hong Kong government but also by the central government of the PRC. It is the most important to note that, at this point, the events of February 2016 strikingly contrast with the peaceful nature of the protests in 2014 and clearly show a progressive escalation of conflict in Hong Kong.

Another alarming sign is the feasible increase of “normative justification” of violence. During the focus group meetings organized by the author, students of Hong Kong universities were saying that the “umbrella revolution” showed that violence works. Only then, they [politicians] began to be interested in our opinion”. One student said that “violence is a tool to draw attention”.

Sixty-two percent of the students surveyed by the author, in fact, agree with the statement that “in certain situations in politics, violence is acceptable”.

Political radicalization in Hong Kong can be also inextricably related to the entry into the political scene of the generation of the people who were born in the 80s (*cf.* J.Y-S. Cheng, 2014: 200, 205) and to the growth of popularity of nativist and local attitudes, as well as the development of new radical political groups, which aggregate and articulate the interests of young, frustrated citizens of the Hong Kong Administrative Region (HKSAR).

The year 2014 was an important turning point. After the “umbrella movement”, radical political movements (such as Hong Kong Indigenous or Youngspiration) began to grow on the wave of grounded discontent on the streets of Hong Kong in 2014. These groups quite often refer to the autonomy and even independence of the region.

The localist doctrine thus continues to gain increasing importance. Currently, the doctrine, in its political stream (Wai-man Lam distinguishes three types of localist organizations – groups of local communities, labor organizations and political organizations (Lam, 2016)), is represented (with a different intensity), among others, by the following organizations: Civic Passion (熱血公民), Demosistō (香港眾志), Hong Kong Autonomy Movement (香港自治運動), HK First (香港本土), Hong Kong Indigenous (本土民主前線), Hong Kong Localism Power (香港本土力量), Hong Kong National Party (香港民族黨), Hong Kong Resurgence Order (香港復興會), Neo Democrats (新民主同盟), and Youngspiration (青年新政). Most of them, however, maintain a very small range of activities.

These few abovementioned examples show that the peaceful political culture, characterizing Hong Kong until 2003, has changed significantly in the recent years. Moreover, it also needs to be stressed that, although we observe a political radicalization, the situation in Hong Kong remains within the sphere of activities generally not considered as out of the ordinary for Western societies. Comparing to the protests in Europe, the contention in Hong Kong still does not take all possible forms.

3. Relative Deprivation Theory

Since the 50s of the twentieth century, social sciences have seen a dynamical development of the idea of searching for the sources of

collective actions in the phenomenon called “relative deprivation”. Already in the studies of Alexis de Tocqueville or Karl Marx, the reader could find interpretations of the reasons of the revolution in the processes underpinning the tension between the actual state (what people have) and what people feel they deserve to achieve. However, mature methodological studies on this issue started only after World War II. The book which put the trend of research on relative deprivation on track (and inspires several researchers) was the publication *The American soldier: Adjustment during army life* (Stouffer *et al.*, 1949).

In turn, one of the first papers, currently considered as a classic, devoted to the phenomenon of relative deprivation, was the article “A formal interpretation of the theory of relative deprivation” by James A. Davis, published in 1959 in *Sociometry*. In it, Davis (1959) pointed to a number of conditions leading to relative deprivation. The main five include:

- (1) The existence of a deprived group and a group that has access to certain goods (non-deprived group).
- (2) Deprived group’s awareness of its disadvantaged position leading to a feeling of one’s own position as less desirable (underprivileged).
- (3) Random comparisons within the population.
- (4) Comparisons which lead to relative deprivation must take place between the individual and the other person belonging to the same category.
- (5) The person experiencing relative deprivation must have a feeling that the status is different from those to which it compares.

One of the most important papers in the social sciences analyzing reasons of social revolution and developing the theory of relative deprivation is the article of James Chowning Davies “Toward a theory of

revolution". The American sociologist, analyzing the contexts of revolutions, pointed out that social and political revolts occur when the long-term aspirations and financial conditions of the people suddenly start to diverge from further possibilities of progress, e.g. as a result of a sharp downturn. Here, unlike in the theory presented earlier, there is no comparison between the situations of one person to another's, but instead a comparison between the current and the previous position of the same group (Davies, 1962).

Another significant contribution to the development of the theory of relative deprivation was made by a British sociologist Walter G. Runciman. To the previous findings, he added an important prerequisite for the rise of relative deprivation. The sociologist stressed that relative deprivation occurs only when the individual thinks that it is feasible to obtain X. Thus, he separated relative deprivation from unrealistic hopes and dreams (Runciman, 1966). Runciman also contributed to the conceptualization of three types of relative deprivation⁴:

- (1) individual
- (2) egoistic
- (3) group/fraternalistic

The preconditions of relative deprivation followed by Faye Crosby (1976: 89) are:

- (1) noticing that someone else has X
- (2) the desire to have X
- (3) a sense of entitlement to have X
- (4) a feeling of the possibility of achieving X
- (5) the lack of sense of personal responsibility for not having X

Recent research on relative deprivation concentrates more on the psychological aspects of the feeling of deprivation. Heather J. Smith and Thomas F. Pettigrew (2014) proved that taking collective actions results from certain forms of relative deprivation – intragroup comparisons and comparisons of own situation with the past lead to individual effects (e.g. depression), but not collective actions. According to the researchers, only group relative deprivation leads to collective initiatives (including the support for political protests). But the key requirement for a group relative deprivation is that people see themselves as representative members of the group.

Another substantial strand of research regarded the role of the influence of social upward mobility on relative deprivation (e.g. Sayles, 1984; Zagefka *et al.*, 2013). As noted by Roxane de la Sablonnière and others (de la Sablonnière *et al.*, 2010), a significant amount of research evidence confirms that in order for the relative deprivation to accumulate, comparisons over time are more important than comparisons among groups.

An important role of relative deprivation in the origins of social revolts was also emphasized by the American political scientist Ted Gurr. In his book *Why men rebel*, published in 1970, Gurr pointed out that collective activities (rebellions) may take place in cases of discrepancies between the expected values (considered to be deserved by the group) and the actual situation. The scale of the relative deprivation is dependent on, among others, the depth, extent and duration of relative deprivation. Gurr stressed the key role of frustration at the outbreak of collective violence. It is the “frustration-aggression” that is the primary source of the political violence.

According to Gurr’s assumptions, relative deprivation is a necessary precondition for political violence, but outbursts take place when the

attitudes and beliefs of dissatisfied people are focused on the political objects, when there is a weakness of the institutional system, and when the opposition groups are strong enough to clash with the ruling majority. One of the most cited passages from Gurr's book is the distinction of three forms of relative deprivation:

- (1) "Decremental deprivation" – a situation when value expectations remain constant while capabilities fall.
- (2) "Aspirational deprivation" – value expectations rise while capabilities remain the same.
- (3) "Progressive deprivation" [so-called "J-curve"] – expectations and capabilities grow, but the capabilities either do not keep up or start to fall.

The second half of the 1970s saw the first unfavorable references to the theory of relative deprivation (Brush, 1996). Most of them criticized the theory as not supported by empirical research. However, researchers such as Thomas F. Pettigrew prove that the inconsistencies of RD theory can be overcome by the clarification of the theoretical antecedents and components of the concept.

Heather J. Smith *et al.* (2012) proved that different types of relative deprivation lead to different behaviors. Individual RD, which is the product of disadvantaged interpersonal and intrapersonal comparisons, results in individual-focused attitudes and behaviors. Group RD, in which people view themselves as representative group members, lead to group-focused attitudes and behavior, including the support for political protests.

Another researcher, Martijn van Zomeren *et al.* (2004), stated that the affective component of RD (feelings of dissatisfaction) is more important than the cognitive component of RD during outbreaks of

political protests (Klandermans, van der Toorn, van Stekelenburg, 2008: 994, 1008).

4. The Reasons behind Relative Deprivation in Hong Kong

The feeling of deprivation among a number of young people in Hong Kong is confirmed by author's own research and already existing data. Clearly, a higher level of dissatisfaction with the current life in Hong Kong is noticeable among people up to 39 years old (61%) (HKTP, 2014). More than 77% involved in the Umbrella Revolution were people aged 18-39 (Cheng and Yuen, 2014). At the same time, young people are closely related (organizationally and ideologically) with the radical democrats and nativist organizations in Hong Kong, which loudly contest the political system in HKSAR. Fifty-nine percent of the people declaring that the "radical democrats" represent their ideas best are individuals up to 40 years old (HKTP, 2014). It is, however, interesting regarding not only who is deprived, but what the reasons are behind the feeling of deprivation itself.

Hong Kong, in the common perception, is considered one of the best places to live in the world. Macroeconomic indicators draw a very optimistic picture of the region. In 2014, the unemployment rate was 3.2% (at the level of the natural unemployment rate); GDP per capita was at 18th position in the world amounting to USD 55,100; inflation rate was at 4.4% and the budget closed with a surplus of 0.8% of GDP. As for the entity numbering just over 7 million inhabitants (103rd position in the world), HKSAR has accumulated financial resources situating it at the top twenty of the world – measured by the M2 aggregate as the 13th place in the world. Furthermore, HKSAR is the 9th global exporter of goods and has reserves of foreign currency and gold equal to USD 328.5 billion (10th position in the world). Hong Kong is

also the world's second region in terms of accumulated foreign direct investment and in terms of activity in the form of FDI; it is situated on the 4th place among the entities of the world. Public debt amounted in Hong Kong in 2014 is only 39.5%. Thus, for many years, in terms of the ease of doing business and economic freedom, Hong Kong has occupied the highest, first place in the ranking by the Heritage Foundation for 21 years in a row, whereas on the index of the World Bank it occupies the 3rd place (as of 2015). What is more, interest rates of the central bank and the taxes are among the lowest in the world (CIA, 2016).

However, these data do not show many problems of the so-called human security (Pourzitakis, 2015). Although the abovementioned Hong Kong GDP per capita may be impressive, the median earnings (approx. HKD 15,000 per month; Census and Statistics Department, HKSAR, 2016) are at a level indicating that almost 20% of the population is living below the poverty line (*Hong Kong Poverty Situation Report 2014*). At the same time, social stratification is quickly growing, which gives rise to even more frustration. In the Gini index, Hong Kong was on the 11th place worldwide, only after the African and Latin American countries. Hong Kong economy, seen as the most liberal in the world, also took the infamous 1st place in the ranking of crony capitalism prepared by *The Economist* (2014). Furthermore, the availability of housing is one of the most serious problems in Hong Kong. It is estimated that more than 200,000 people live in the legendary "cage homes", and an even greater number of people live in very bad conditions (Census and Statistics Department, HKSAR, 2016; HKFP Lens, 2016). The median size of the "box apartments" is 4.5 m² per person (Census and Statistics Department, HKSAR, 2016). The average size of a new property in Hong Kong is also one of the lowest in the world, and amounts to 45 m², while, for example, in Britain, it is 76 m²; Japan – 95 m²; Germany – 109 m²; the United States – 201 m²; and Australia – 214 m² (Wilson,

2013). According to the *Demographia International Housing Affordability Survey: 2016*, prepared under the Urban Expansion Program of the New York University, real estate prices in Hong Kong are among the highest in the world.⁵ The ratio of median housing price to the amount of average annual gross income of a household in Hong Kong thus amounted to 17.⁶ In contrast, New Zealand was the second most expensive state after Hong Kong, with an overall result of 8.2 (*Demographia International Housing Affordability Survey: 2016*).

When considering the socioeconomic indicators on other aspects of human security, one should underline the undermining of the sense of ecological safety as well. Other challenges, in the view of at least a part of the Hong Kong society, include the diminishing academic freedom and freedom of press (the huge drop in the ranking of freedom of press prepared by the organizations such as Reporters Without Borders or Freedom House is very symbolic) and PRC influence on Hong Kong's political system.

Thus, in order to assess the possible reason behind relative deprivation of the youth in Hong Kong, it is also very important to show the changes that have taken place in Hong Kong over the recent decades, which can be seen as a result of the acquisition of the sovereignty over the region by the PRC.

Furthermore, a comparison of economic growth over time shows that in the years 1978-1996, the average growth was 6.6% per year. The total increase in income of working people in those years amounted to 139% (LegCo, 2015). In the years 1997-2013, in contrast, the average economic growth was only at a level of 3.5% per annum and the increase in earnings amounted only to 14%.⁷ It must be noted that periods of various length are being compared here; nevertheless, it can certainly indicate the reason behind the different perception by the society of the situation after and before 1997.

Moreover, in 2003-2008, up to 62.9% of persons employed were not gainfully promoted. Within 10 years (1998-2008), up to 47.2% of total employed personnel were not subject to promotion in the labor structure. At the same time, in the category of workers with the lowest wage, the increase in earnings amounted only to 45.9% (LegCo, 2015).

Referring to the aforementioned housing situation of Hong Kong citizens, it is important to note that the average price of small apartments in the period 2006-2013 increased by 188%. However, the average monthly income of households, in contrast, increased only by 30% over the same period. Thus, having an own apartment becomes increasingly more distant. It should be recalled that in the 80s and the first half of the 90s, the increase in housing prices was in line with the growth in household income; in the years 1981-1996, the number of residents having their own homes increased from 40.6% to 67.1%; in 2006-2013, however, it decreased from 70.5% to 66.7% (LegCo, 2015).

Moreover, the above-mentioned difficult housing situation of some residents of Hong Kong is particularly noticeable among young people. According to the research at the City University of Hong Kong, more than 75% of people aged 18-35 live with their parents. Almost 6% of the respondents who live with both parents as well as their life partner should be added as well.⁸ According to other studies, more than half (53%) of people aged 18-29 live in municipal houses or accommodation subsidized by the government. Only a part of them owns apartments (Hong Kong Transition Project, 2014). Moreover, only 20% of young people believe that their housing situation will improve in 2-3 years (Hong Kong Council of Social Service, 2016). Housing problems are thus considered the most acute (Hong Kong Ideas Centre, 2015).

In addition to changes in the availability of housing, there have been significant changes in the population's education levels and occupational structure. In the years 1991-2011, the number of individuals with at least

secondary education more than doubled, increasing from 11.3% of individuals with such a degree in 1991 to as much as 27.3% in 2011. In the group of 15-24 year-olds, the number of people with at least secondary education increased from 13.7% to 39.3% and this increasing trend in education in this age group will only continue. However, despite the increase in education among young people, their professional position is not improving significantly. While in the years 1991-2011, the total number of people in higher positions noticeably increased (from 10.3% in 1991 to 21.1% in 2011), the professional promotion of young people (15-24 years) took place mainly in the field of lower-paid service jobs and retailers groups (from 21% in 1991 to 34% in 2011). Average monthly earnings in this group (for the 1991-2011 period) amount to HKD 9,880, while among the middle-level employees – HKD 18,250; managers – HKD 35,000; and specialists – HKD 35,900 (LegCo, 2015). Therefore, young people often occupy significantly lower-paid positions and it is not related to their lack of professional experience but rather to the difficulty of professional advancement. In addition, more than half of the people aged 20-34 earn less than the median wage in Hong Kong, and even if the data might not be alarming, it is worth to note that only 30% of these people are satisfied with the economic situation of the region (Hong Kong Council of Social Service, 2016).

Hong Kong is also characterized by low intergenerational mobility, with the social system of Hong Kong not being conducive to reducing social disparities; thus, the education system reflects social divisions and does not reduce diversity. Children from 10% of the wealthiest families in Hong Kong are 3.7 times more likely to study than children from poorer families. The descendants also largely reflect the socio-economic positions of their parents, which further indicates a low degree of vertical mobility (LegCo, 2015).

The perspective of future political change in the region is negatively assessed as well (Cheng, 2002: 6). It must be also pointed out that the feeling of alienation of young citizens is caused by the sense that the “system” has forgotten them and does not care about the burden imposed upon them. Most of the young people study and are also indebted, with 67% of the people aged 18-59 providing financial support to their parents (in the group of 18-29 year-olds, 54% provide more than 20% of their income to parents; Hong Kong Transition Project, 2014: 25). Strong competition on the labor market and low salaries are also factors contributing to the radicalization of young people’s behaviors.

From the point of view of “political values”, a significant issue is the expectation of democratization. The democratization level in Hong Kong has changed throughout the years (although not significantly), but expectations have been rising since the 90s – faster than the capabilities. According to the in-depth interviews and the results of focus groups organized by the author in 2016, Hongkongers feel dissatisfied with the uneven influence that particular groups exert on public policies. The people with less impact on the political system perceived their position as underprivileged. Seventy-seven percent of surveyed students did not feel that they had any impact on politics, or felt that their influence on politics was very small. In many countries, those feelings exist, but in Hong Kong, the young generation feels even more deprived; thus, the pace of those changes is also important.

Interestingly, the time before the transfer of sovereignty over Hong Kong is mythologized, even by those young people for whom it is not possible to remember Hong Kong before 1997. Students believed that British Hong Kong was more responsive to the citizens’ demands than it really was. During the focus group interviews, one of the students stated that the time prior to 1997 was “somehow better” because “the government listened to the people of Hong Kong”; what is more,

“British governors, even though they were controlled by London, were responsive to the demands of Hongkongers”. As we can thus see, young people tend to compare their situation to the “Hong Kong dream” from the 80s/90s.

Another significant issue amongst the youth is the process of closing one’s identity in local components – while 34% of Hong Kong residents defined themselves as Hongkongers, in the age group 18-29, it accounts to as much as 55% respondents stating so. The “Hong Kong identity” among the youth is perceived as “international” and “pluralistic” in contrast to “Chinese” (Hong Kong Transition Project, 2014: 58-59).

Thus, the lack of influence on the political system and the growing role of mainland China in Hong Kong’s politics altogether lead to the dissatisfaction with the HKSAR government. According to the Hong Kong Transition Project, before the outbreak of the “Umbrella Revolution” in January 2014, 63% of the respondents were dissatisfied with the HKSAR government. However, among HKSAR citizens who were born in Hong Kong, this percentage increased to 71% (Hong Kong Transition Project, 2014: 80). Among the respondents aged 21-29, as much as 89% were dissatisfied (those aged 18-20 – 85%; among 30-39 year-olds – 80%).

5. The Role of RD in the Radicalization of Hongkongese Youth

Various studies have already proved that relative deprivation can drive the collective action of groups (e.g. Gurr, 1970; Smith and Pettigrew, 2014; Zagefka *et al.*, 2013). The models of collective action outbreaks show that the frustration caused by the inability to achieve goods, together with the sense of injustice, in appropriate conditions can result in contentious actions.

The reason behind the frustration among Hong Kong's students is rooted in their social position and political expectations. In the surveys on the group of Hong Kong students, almost all interviewees answered that they are strongly dissatisfied or fairly dissatisfied with the possibilities of social upward mobility in Hong Kong (73% fairly dissatisfied and strongly dissatisfied; *cf.* Chiu, 2010). Another reason for concern was the issue of housing – more than 90% of respondents were dissatisfied with housing quality (*cf.* Hong Kong Ideas Centre, 2015). Moreover, most of the students feel that the political and economic situation in Hong Kong became worse (91% of answers concerning the political situation; 56% concerning the economic situation). Finally, many of them did not believe that the situation was going to improve (77% of the surveyed students).

The existence of collective identity, grievances and emotions is essential to outbreaks of radical actions. According to research (Simon *et al.*, 1998; Stürmer and Simon, 2004), the role of collective identity in the process of the transformation of frustration seems to be crucial. Collective identity is also rooted in shared feelings of injustice. Stronger feelings of injustice, in turn, depend on how vulnerable the endangered value for a given person is. Consequently, the greater the danger for the group is, the greater the anger and the determination to participate in the protests. In the case of Hong Kong, it must be stressed that the youth expresses the feeling of strong generational identity (according to the author's own surveys, 78% students felt strong generational ties). The results from focus groups also confirmed that the students have a sense of a substantial generational gap between them and senior citizens of Hong Kong. According to the interviewed students, the interests of both groups seem not only to be separate but also opposite.

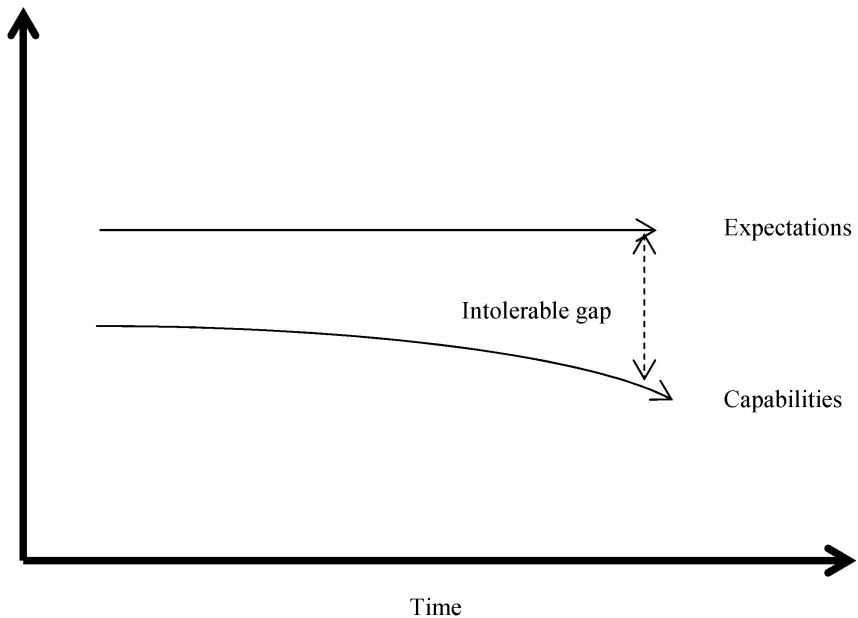
Similar findings can be observed in the social media analysis of the posts organized by the journal *Varsity* – as since the Umbrella Movement in 2014 more negative comments about the elderly have appeared on social media. The comments were also more aggressive than before (Leung and Zhang, 2016).

According to the studies, collective identity is more likely to emerge when a group of people have a common oppressor or if they share a common aversion to a person/group/situation. Research also suggests that deprived people act more aggressively when they are aware of the source of their frustration (Gurr, 1970). The results of the focus group interviews show that Hong Kong's students are not only frustrated but are aware of the reason of their frustration ("we are frustrated because we do not know how we can make our future better"; "the British had a chance to say that they are leaving the EU. We have no chance to comment on our future"; "... shops change the language to Mandarin only to welcome the Chinese from the mainland, they do not respect the Cantonese. We see that the government forces primary school students to greet on the streets the PRC, in high schools, the principals do not allow the discussion about HK independence..."; "the frustration comes from the fact that others do not understand why we fight"). Moreover, the situation of young people in Hong Kong also confirms the thesis that the frustration is growing dynamically when there is a collision of the negative perception of the future with the lack of upward mobility (Zagefka *et al.*, 2013). Only 20% of young people in Hong Kong believe that their housing situation will improve within 2-3 years (Hong Kong Council of Social Service, 2016). According to the focus groups organized by the author among Hong Kong students in November 2015 and the outcome from the questionnaires distributed in May 2016, the young people in Hong Kong are concerned about the economic future of

the region. When asked about their worries about the future of Hong Kong, they mention “poor perspectives for Hong Kong”, “economic inequalities”, “people living in poverty and people in need”. Among their personal fears, they indicate, among others, “increasing costs of living”. These observations confirm the opinion polls prepared by Hong Kong Transition Project.

Taking Bert Klanderman’s assumptions into consideration (Klandermans, 1984), and basing on the theory of mobilization extended on socio-psychological elements, one is led to the conclusion that the participation in the public activities depends on the expected costs and effects of these activities: “Feelings of relative deprivation or frustration do not necessarily evoke agreement with the goals of a movement which pretends to remedy these feelings: goals have to be perceived as instrumental to the elimination of these feelings.” The result of collective actions must be thus seen as the means to eliminating deprivation. I stressed earlier that Hong Kong students, during focus groups, underlined that they had felt that revolution is the only means that is left that is capable to draw the attention of politicians.⁹

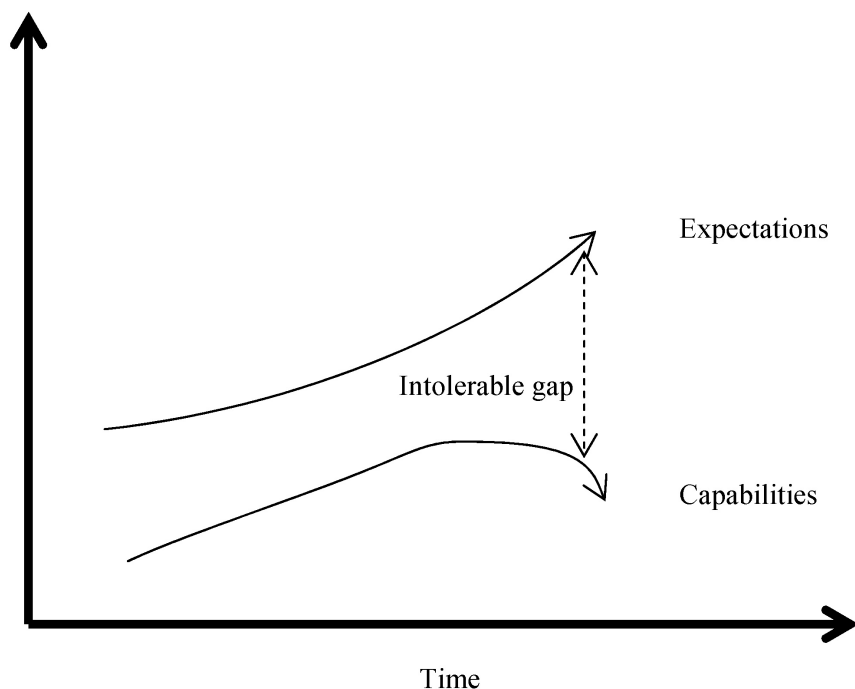
Moreover, as mentioned earlier, the classics indicate that social rebellion can occur when there appears an intolerable gap between what people want and what they receive (Davies, 1962). In Hong Kong, we can observe a situation in which the expectations of young people collide with the socio-economic situation of the region, leading to feelings of cultural insecurity (Figure 1). The youth would like to see more active public authorities. Moreover, in the World Values Survey, the respondents aged under 29 more often than older people supported the claim that “the government should take more responsibility to ensure that everyone is provided for”. The youth are also closely tied to the Hong Kong identity.

Figure 1 Decremental Relative Deprivation

Source: Author's source based on T. Gurr's assumptions.

A slightly different situation arises in the sphere of “political values”. In Hong Kong, in recent years, we can observe a movement which advocates the struggle for democratization. The recent debate on democratization additionally boosted the expectations of Hongkongers in this regard. However, those expectations were suddenly stopped by the decision of the Standing Committee of the National People's Congress on August 31, 2014, which set limits for the 2017 Chief Executive election and the 2016 Legislative Council election. This decision was a direct reason to start protests by the students and to initiate the Umbrella Movement (Figure 2).

Figure 2 Progressive Relative Deprivation



Source: Author's source based on T. Gurr's assumptions.

At the same time, the abovementioned decision is part of a general atmosphere of doubt in the government's efforts to maintain high standards of living and preserve the political identity of Hong Kong. The diminishing of Hong Kong's unique economic position after 1997 is leading the citizens to an extremely negative perception of the future of the region. It should be also noted that many of them express strong concerns about Beijing's interference in Hong Kong's politics and the role of mainland immigrants.

6. Conclusions – The Prospect of Radicalization

RD theory can help to explain the rise of political radicalization in Hong Kong, understood as a more transgressive instrument of contention. The last fifteen years have brought economic uncertainty to Hong Kong, especially noticeable by its youth. Young citizens have also been left with an unrealized promise of democratization of the region, particularly visible against the backdrop of Beijing's increasing influence. Hongkongers also might feel that their local identity is also under threat.

It can be thus also assumed that the radicalization will continue. No tangible actions leading to the de-escalation of tension are being undertaken by the authorities of the HKSAR. At the same time, the nativist and localist organizations radicalize their actions – in May 2016, Civic Passion announced the organization of summer camps for young people aged 14-17, during which they would have lectures concerning the doctrine of localism, as well as “fitness training and survival skills”.¹⁰ The camps are a response to “the government education system” which is “trying to brainwash students to be obedient to the Communist Party”. The leader of Civic Passion reassured that this is not an attempt to build a paramilitary group; however, such initiatives show that the gap between the political groups continues to grow.

Among the generation of millennials (born in the 80s and 90s), the Democratic Party's appeals on the need for progressive democratic reforms were seen as counterproductive; today, however, the change is expected here and now. The students, during focus groups, emphasized that the strategy of traditional pro-democratic politicians did not work.

Unluckily, the hypothesis that Hong Kong's political situation can evolve in the direction of some form of détente is not supported by other facts. First of all, in the opinion of the dissatisfied people, the values considered as basic are at stake. At the same time, in their perception,

achieving the goal of democratization of the electoral law was already quite close (and the proximity of the goal is considered to be one of the factors of frustration in the event of a failure to achieve the objectives). What is more, it should also be added that the level of legitimacy of power in Hong Kong has declined (studies show that the more effective the political system in solving problems was in the past, the greater are the social expectations towards the future, and the more likely it is that the dissatisfied citizens will feel justified, both normatively and practically, to resort to political violence in order to shift attention to unresolved issues) (Gurr, 1970: 182)¹¹.

Notes

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1. 39.2% of the youth aged 15-24 would like to see Hong Kong as an independent state, according to Stephan Ortmann (“The development of the Hong Kong identity and the rise of localist movements”, IPSA World Congress 2016). Author’s research on Hong Kong students supports that number.

2. Parallel trading refers to the situation when Mainlanders, using a multiple entry visa, import to Mainland China goods from Hong Kong. This process causes shortages of household goods and rise of prices in Hong Kong.
3. Civil unrest that took place in the Mongkok district during the night of 8 February 2016. Young people for few hours confronted with police. The protesters set fire to several trash bins, threw objects into policemen. Police used batons and pepper spray. 90 policemen and 130 protesters were wounded, 61 people were arrested. Reason to protest was the government's crackdown on unlicensed street hawkers during the Chinese New Year holidays.
4. Runciman distinguishes egoistic and fraternalistic relative deprivation (Runciman, 1966). M.L. Sayles's third type is called "individual" (Sayles, 1984).
5. The study focused on 378 real estate markets in 8 highly developed countries and Hong Kong.
6. According to other data quoted by the newspaper *Apple Daily* (蘋果日報), it takes an average of about 14 years for a working couple to save enough money to buy a 40 m² apartment. See: <http://hk.apple.nextmedia.com/news/art/20141126/18948413>, on: 01.02.2016.
7. According to other data in 2001-2011, there was even a decline in median earnings by 2.9%. See: P.Y.A. Chow, *The Umbrella Movement: The bigger picture behind and its broader imaginations*, Cultural Studies@Lingnan, 47, <http://commons.ln.edu.hk/mcsln/vol47/iss1/4/>, on: 01.02.2016.
8. Although it should also be noted that virtually all respondents were unhappy with living with their parents (Yip and Forest, 2014).
9. What can also be interesting is that protesters during Umbrella Movement followed the strategy of Sunflower Movement in Taiwan. We also know that there were contacts between both movements (Ng, 2016).

10. “Pro-independence Hong Kong radicals start recruiting youth corps for ‘military’ summer camp” (reported by Ng Kang-chung), *South China Morning Post*, 4 May 2016. Available at: <https://www.scmp.com/news/hong-kong/article/1941399/pro-independence-hong-kong-radicals-start-recruiting-youth-corps> (accessed 1 September 2016).
11. Hong Kong has a long tradition of a high level of government effectiveness – according to the Worldwide Governance Indicators 2014, the score of Hong Kong (98.08) was one of the highest in the world. The problem is intensified if the government effectively solves the problem but most of the resources are directed to selected groups. The excluded are more likely to use force, because they are seeking to increase their share in the distributed goods (in Hong Kong, traditionally, the focus of public authorities’ actions is aimed at big business; young people often point out that the government, in their opinion, only takes care of “the big fish”).

References

- Bartlett, Jamie, Jonathan Birdwell and Michael King (2010). *The edge of violence: A radical approach to extremism*. London: Demos.
- Brush, Stephen G. (1996). Dynamics of theory change in the social sciences: Relative deprivation and collective violence. *The Journal of Conflict Resolution*, Vol. 40, No. 4, pp. 523-545.
- Cantoni, Davide, David Y. Yang, Noam Yuchtman and Y. Jane Zhang (2017). Are protests games of strategic complements or substitutes? Experimental evidence from Hong Kong’s democracy movement. *NBER Working Paper* No. 23110 (January 2017). Cambridge, MA: National Bureau of Economic Research. Available at: <http://www.nber.org/papers/w23110> (accessed 1 April 2017).
- Census and Statistics Department, Hong Kong Special Administrative Region (2016). *Quarterly report on General Household Survey. October to*

- December 2015. Available at: <http://www.Censtatd.Gov.Hk/Hkstat/Sub/Sp200.Jsp?Productcode=B1050001> (accessed 5 May 2016).
- Census and Statistics Department, Hong Kong Special Administrative Region (2016). *Thematic Household Survey report – Report No. 60: Housing conditions of sub-divided units in Hong Kong*. Available at: <http://www.censtatd.gov.hk/hkstat/sub/sp140.jsp?productcode=B1130201> (accessed 20 March 2016).
- Central Intelligence Agency, US (2016). *The World Factbook* (online). Available at: <https://www.cia.gov/library/publications/resources/the-world-factbook/geos/hk.html> (accessed 1 February 2016).
- Cheng, Howard Chi-ho (November 2001, prepared for ILO/Japan Tripartite Regional Meeting on Youth Employment in Asia and the Pacific. Bangkok, 27 February – 1 March 2002). Youth situation, youth policy and youth unemployment in Hong Kong. Available at: https://www.google.pl/search?q=Youth+Situation%2C+Youth+Policy+And+Youth+Unemployment+In+Hong+Kong&ie=utf-8&oe=utf-8&client=firefox-b-ab&gfe_rd=cr&dcr=0&ei=xhiTWr2XEg3BXubhJIAL (accessed 1 February 2017).
- Cheng, Joseph Yu-shek (2014). The emergence of radical politics in Hong Kong: Causes and impact. *China Review*, Vol. 14, No. 1, pp. 199-232.
- Cheng Wai, Edmund (鄭煒) and Samson Yuen Wai Hei (袁瑋熙) (2014). 後雨傘運動：告別政治冷感的年代 [post-Umbrella Movement: farewell to the age of political apathy], *Ming Pao* (online) (明報新聞網) (Viewpoint / 觀點), 29 November 2014. Available at: https://news.mingpao.com/pns/後雨傘運動：告別政治冷感的年代－作者：鄭煒、袁瑋熙/web_tc/article/20141129/s00012/1417197542046 (accessed 28 November 2014).
- Chin Wan (陳雲 , Horace Chin Wan-kan / 陳云根) (2011). 《香港城邦論》 [theory of the Hong Kong city-state]. Hong Kong: Enrich (天窗出版社有限公司).
- Chiu, Stephen Wing-kai (2010). Social attitudes of the youth population in Hong Kong. (Final report submitted by Public Policy Research Centre

- Hong Kong Institute of Asia-Pacific Studies, Chinese University of Hong Kong.) Available at: http://www.soc.cuhk.edu.hk/a/Social_attitudes_youth_hk.pdf (accessed 1 February 2017).
- Crosby, Faye (1976). A model of egoistical relative deprivation. *Psychological Review*, Vol. 83, No. 2, pp. 85-113.
- Davies, James C. (1962). Toward a theory of revolution. *American Sociological Review*, Vol. 27, No. 1, pp. 5-19.
- Davis, James A. (1959). A formal interpretation of the theory of relative deprivation. *Sociometry*, Vol. 22, No. 4, pp. 280-296.
- de la Sablonnière, Roxane, Émilie Auger, Nazgul Sadykova and Donald M. Taylor (2010). When the “we” impacts how “I” feel about myself: Effect of temporal collective relative deprivation on personal well-being in the context of dramatic social change in Kyrgyzstan. *European Psychologist*, Vol. 15, No. 4, pp. 271-282.
- Demographia (2016). *12th Annual Demographia International Housing Affordability Survey: 2016 – Rating middle-income housing affordability* (data for 3rd quarter 2015). Belleville, IL: Demographia (Wendell Cox Consultancy). Available at: <http://demographia.com/dhi2016.pdf> (accessed 1 February 2016).
- Government of the HKSAR (October 2015). *Hong Kong Poverty Situation Report 2014*. Available at: https://www.povertyrelief.gov.hk/pdf/poverty_report_2014_e.pdf (accessed 1 February 2016).
- Grant, Peter R., Dominic Abrams, Daniel W. Robertson and Jana Garay (2015). Predicting protests by disadvantage skilled immigrants: A test of an Integrated Social Identity, Relative Deprivation, Collective Efficacy (SIRDE) Model. *Social Justice Research*, Vol. 28, No. 1, pp. 76-101.
- Gurr, Ted Robert (1970). *Why men rebel*. Princeton: Princeton University Press.
- Gurr, Ted Robert (1990). Terrorism in democracies: Its social and political bases. In: Walter Reich (ed.), *Origins of terrorism: Psychologies, ideologies, theologies, states of mind*. Washington, DC: Woodrow Wilson

Center Press, pp. 86-102.

Hafez, Mohammed and Creighton Mullins (2015). The radicalization puzzle: A theoretical synthesis of empirical approaches to homegrown extremism. *Studies in Conflict & Terrorism*, Vol. 38, No. 11, pp. 958-975.

HKFP Lens. (2016). HKFP Lens: Number of 'cage home' residents rises to nearly 200,000. *Hong Kong Free Press*, 20 March 2016. Available at: <https://www.hongkongfp.com/2016/03/20/Hkfp-Lens-Number-Of-Cage-Home-Residents-Rises-To-Nearly-200000/> (accessed 20 March 2016).

Hong Kong Council of Social Service (2016). 社聯發佈年輕成人貧窮與改善生活研究 (Social security – press releases), 26 May 2016. Available at: http://www.hkcss.org.hk/E/Cont_Detail.Asp?Type_Id=9&Content_Id=3351 (accessed 29 May 2016).

Hong Kong Ideas Centre (香港集思會) (April 2015). 香港年青人的處境和訴求研究 (Situations and aspirations of youths in Hong Kong) (作者 : 黎黃靄玲 何建宗 余婉華 張羽廷). Available at: http://www.ideascentre.hk/wordpress/?page_id=12&lang=en (accessed 29 May 2016).

Hong Kong Police (2017). Public order event statistics. Available at: https://www.police.gov.hk/ppp_en/09_statistics/poes.html (accessed 26 February 2017).

Hong Kong Transition Project (2014). Constitutional reform: Confrontation looms as Hong Kong consults. Available at: <http://hkt.org/list/constitutional-reform.pdf> (accessed 20 February 2016).

Klandermans, Bert (1984). Mobilization and participation: Social-psychological expansions of resource mobilization theory. *American Sociological Review*, Vol. 49, No. 5, pp. 583-600.

Klandermans, Bert, Jojanneke van der Toorn and Jacqueliën van Stekelenburg (2008). Embeddedness and identity: How immigrants turn grievances into action. *American Sociological Review*, Vol. 73, No. 6, pp. 992-1012.

Lam, Wai-man (2016). A fragmented soul: Brands of localisms in Hong Kong. Available at: http://paperroom.ipsa.org/papers/paper_46748.pdf (accessed

- 1 February 2017).
- Legislative Council (2015). Social mobility In Hong Kong. *Research Brief*, Issue No. 2, 2014-2015, January 2015. Available at: <http://www.legco.gov.hk/Research-Publications/English/1415rb02-Social-Mobility-In-Hong-Kong-20150112-E.Pdf> (accessed 1 February 2016).
- Leung Megan and Lynette Zhang (2016). Mind the generation gap. *Varsity*, 2 December 2016. School of Journalism and Communication, Chinese University of Hong Kong. Available at: <http://varsity.com.cuhk.edu.hk/index.php/2016/12/generation-gap-ageism/> (accessed 2 December 2016).
- McAdam, Doug, Sidney Tarrow and Charles Tilly (2004). *Dynamics of contention*. New York: Cambridge University Press.
- McCauley, Clark and Sophia Moskalenko (2017). Understanding political radicalization: The two-pyramids model. *American Psychologist*, Vol. 72, No. 3, pp. 205-216.
- Moghaddam, Fathali M. (2005). The staircase to terrorism: A psychological exploration. *American Psychologist*, Vol. 60, No. 2, pp. 161-169.
- Ng, Jason Y. (2016). *Umbrellas in bloom: Hong Kong's occupy movement uncovered*. Hong Kong: Blacksmith Books.
- Ortmann, Stephan (2016). The development of the Hong Kong identity and the rise of localist movements. (Paper presented at 24th World Congress of the International Political Science Association, Poznań, Poland.)
- Pourzitakis, Stratos (2015). Hong Kong Umbrella Revolution: A human security discourse. *Spoleczenstwo i Polityka. Pismo Edukacyjne*, Vol. 45, No. 4, pp. 37-61.
- Runciman, Walter G. (1966). *Relative deprivation and social justice: A study of attitudes to social inequality in twentieth-century England*. Berkeley: University of California Press.
- Sayles, Marnie L. (1984). Relative deprivation and collective protest: An impoverished theory? *Sociological Inquiry*, Vol. 54, No. 4, pp. 449-465.

- Simon, Bernd, Michael Loewy, Stefan Stürmer, Ulrike Weber, Peter Freytag, Corinna Habig, Claudia Kampmeier and Peter Spahlinger (1998). Collective identification and social movement participation. *Journal of Personality and Social Psychology*, Vol. 74, No. 3, pp. 646-658.
- Smith, Heather J. and Thomas F. Pettigrew (2014). The subjective interpretation of inequality: A model of the relative deprivation experience. *Social and Personality Psychology Compass*, Vol. 8, No. 12, pp. 755-765.
- Smith, Heather J., Thomas F. Pettigrew, Gina M. Pippin and Silvana Bialosiewicz (2012). Relative deprivation: A theoretical and meta-analytic review. *Personality and Social Psychology Review*, Vol. 16, No. 3, pp. 203-232.
- Stouffer, Samuel A., Edward A. Suchman, Leland C. DeVinney, Shirley A. Star and Robin M. Williams (1949). *The American soldier: Adjustment during army life (Studies in social psychology in World War II, Vol. 1)*. Princeton: Princeton University Press.
- Stürmer, Stefan and Bernd Simon, (2004). The role of collective identification in social movement participation: A panel study in the context of the German gay movement. *Personality and Social Psychology Bulletin*, Vol. 30, No. 3, pp. 263-277.
- The Economist* (2014, March 15). Our crony-capitalism index – Planet plutocrat: The countries where politically connected businessmen are most likely to prosper. Available at: <https://www.economist.com/international/2014/03/15/planet-plutocrat> (accessed 1 September 2015).
- van Zomeren, Martijn, Russell Spears, Agneta H. Fischer and Colin Wayne Leach (2004). Put your money where your mouth is! Explaining collective action tendencies through group-based anger and group efficacy. *Journal of Personality and Social Psychology*, Vol. 87, No. 5, pp. 649-664.
- Wilson, Lindsay (2013). How big is a house? Average house size by country. *RenewEconomy*, 17 July 2013. Available at: <https://reneweconomy.com.au/>

how-big-is-a-house-average-house-size-by-country-78685/ (accessed 20 March 2016).

- Yip, Ngai Ming and Ray Forrest (2014). Choice or constraint? Exploring solo-living for young households in Hong Kong. *Urban Research Group – CityU on Cities Working Paper Series*, WP No. 1/2014. Available at: <http://www.cityu.edu.hk/cityuoncities/upload/file/original/705520140620144948.pdf> (accessed 1 February 2016).
- Zagefka, Hanna, Jens Binder, Rupert Brown and Landon Hancock (2013). Who is to blame? The relationship between ingroup identification and relative deprivation is moderated by ingroup attributions. *Social Psychology*, Vol. 44, No. 6, pp. 398-407.

The Radicalisation of Xinjiang: Its Roots and Impact on Human Rights

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Abstract

Xinjiang, home to the Uyghurs, has been the focus of intense government crackdown. China claims that the province is exposed to security threat especially from what it considers the “Three Evils” which are Terrorism, Extremism and Separatism. This article analyses the radicalisation that have happened in Xinjiang especially among the Uyghurs and its impact on the security and stability of the province. This study uses a qualitative approach. The primary sources are obtained from the Chinese official documents pertaining to the security condition in Xinjiang. Secondary sources are from books, journals, credible articles from the Internet, and local and international newspapers. This study will examine causes of radicalisation and how it has contributed to the rise of political violence. In addition, this paper also discusses the responses by the Chinese authorities which have resulted in the decline of human rights. This study concludes that if the human rights situation in Xinjiang does not improve, this may lead to more serious ethnic tension between the Uyghurs and Hans.

Keywords: *Xinjiang, China, Central Asia, human rights, terrorism, radicalisation*

1. Introduction

It is interesting to note that since the September 11, 2001 attacks, the security and stability of Xinjiang have received much attention from like-minded states such as the United States (US), Turkey, international organisations like the European Union (EU), the United Nations Human Rights Commission, international media, international non-governmental organisations such as Amnesty International (AI) and academic researchers. They have all express much interest in the politics and security of Xinjiang. In fact, the Chinese authorities for the first time has openly admitted that the province is being challenged by forces that promote extremist and separatist ideas. Prior to 2001, China has constantly denied that Xinjiang is under threat from terrorist activities. However, it changed its policy and has even published white papers to provide official explanation on the security conditions in Xinjiang.

Therefore, this study intends to seek answers to the following questions: Is the security of Xinjiang really being challenged by radicalisation and extremism? What are the causes of radicalisation among the Uyghurs? When did the radicalisation process begin? What is the impact of radicalisation towards the stability of the province? How did the Chinese authorities respond? What are the human rights implications? How are ethnic relations between the Uyghurs and Hans influenced by the China's policies? Hence, the objectives of this study is to analyse radicalisation of Uyghurs and its challenges towards the security of Xinjiang. Besides, this study also seeks to highlight the Chinese policies and their implications on the human rights conditions and ethnic relations.

This article is presented in six sections. The first section basically outlines the research questions and objectives of the study. In addition, this section discusses the review on some of the notable works on the topic. The second section provides briefly the background of the political and security condition of Xinjiang. The aim of this section is to highlight the evolution of the ethnic relations between the Uyghurs and Hans. Besides, it also focuses on the historical context by discussing the Chinese administration in the province since it became part of the People's Republic of China (PRC) in 1949. The third section will analyse the impact of the involvement of Uyghur fighters in the Afghan War during the 1980s and how it have contributed towards the radicalisation. The fourth section will elaborate how some radicalised Uyghurs demonstrate their frustrations and anger by adopting tactics of political violence in the 1990s until the 2009 Riots. The fifth section discusses the responses by the Chinese government to stabilise the region. However, China has been accused of using excessive force to such an extent that it violates the human rights of the Uyghurs to maintain their cultural and religious identities. Finally, this article will conclude by arguing that the policies adopted by the Chinese authorities have been counter-productive in maintaining long-term peace in the province. Ethnic relations between the Uyghurs and Hans have not improved. Rather there have been an increase of tension and mutual distrust between them. One may argue that ethnic tension in Xinjiang is like a time bomb which will explode at any time in the future.

Literature Review

The aim of this literature review is to highlight works on the political and security developments in Xinjiang. The works by Lattimore (1950), Benson (1990), Whiting (1980), Perdue (2005), Forbes (1986) and Wu (1984) discusses the historical background of Xinjiang prior to 1949.

Owen Lattimore has laid out the arguments on Xinjiang's geopolitical importance while Dreyer (1976) analyses the Chinese policy and their historical relations with the Uyghurs. Dreyer argues that on the one hand, the policy of "Sinification" with the aim to induce ethnic minorities in Xinjiang to integrate has resulted in nationalistic reactions and ethnic clashes; on the other hand, efforts to accommodate differences by adopting a more pluralist approach and allowing ethnic diversity to flourish equally has produced separatist movements. Dreyer calls this dilemma as "China's paradox".

Another prominent scholar on China's policy towards Xinjiang is McMillen (1979). He considers Wang Enmao (王恩茂), the Chinese Communist Party (CCP)'s First Secretary and Political Commissar in Xinjiang in the 1950s and again in the 1980s, a capable and effective leader who was able to balance the demands of the central party policy and the complex ethnic relations in Xinjiang. Hence, the PRC's policy in Xinjiang especially during the administration of Wang Enmao was able to accommodate the ethnic and strategic realities of the province.

Other notable scholars such as Fuller (1992) and Walsh (1993) analyse the impact of the disintegration of the Soviet Union in 1991 towards Xinjiang. Fuller and Walsh argue that since the collapse of the Soviet Union, China has reaffirmed its commitment to the inclusiveness of Xinjiang as part of China and its willingness to defend it at all cost. At the same time, China has adopted a pragmatic approach to the newly independent Central Asian republics. They argue that China aspires to be a major regional actor among the Central Asian republics. Fuller considers Xinjiang as a bridge or link between Central Asia and China.

At present, scholars such as Starr (2004) analyse the problems which have arisen due to the integration policies adopted by the Chinese government. Similarly, works by Dillon (2004), Tyler (2003) and Millward (2006) provide information on the political evolution,

economy and society in Xinjiang. They highlight opposition by the Uyghurs to Chinese rule. These works, on the other hand, focus on the role of trans-national advocacy groups such as Amnesty International (AI) and other international organisations such as the World Trade Organisation (WTO) in influencing the CCP to conform to international human rights norms.

Dru C. Gladney in his work *Muslim Chinese: Ethnic nationalism in the People's Republic* (Gladney, 1996) analyses the Hui Muslim ethno-religious nationalism and culture. There is another recent book by Gladney (2004) where two chapters are devoted to the role of Uyghur diasporas in highlighting the plight of those living in Xinjiang to the international community. Apart from *Dislocating China: Reflections on Muslims, minorities, and other subaltern subjects* (2004, London: Hurst), Gladney has written several books on Muslim minorities living in China such as *Ethnic identity in China: The making of a Muslim minority nationality* (1998, Fort Worth, TX: Harcourt Brace). Gladney's works provide useful information for this study on the history, culture and language of Muslim minorities in China, especially the Uyghurs.

2. Background

Xinjiang is the largest province of China located on its northwest borders with eight countries namely the Russian Federation to the north, Mongolia and Kazakhstan to the northwest, Kyrgyzstan and Tajikistan to the west, as well as Afghanistan, India and Pakistan (Jammu Kashmir) to the southwest. Besides, the province is also significant because it is the only Chinese province situated in Central Asia. Therefore, Xinjiang can be considered a "bridge" linking China with the Central Asian republics as well as other countries in the Caucasus region.

The province is also of strategic importance to China because it is located in an area that is rich with oil and gas reserves which represent one of China's major sources of energy. Historically the region has been a strategic area as it was part of the ancient "Silk Road". Traders and travellers who used this route include Marco Polo. However, beginning from mid-18th century, the region has been administered by the Chinese and declared a Chinese province in 1884 (Gladney, 1996: 71). Western explorers such as Sir Aurel Stain and Sven Hedin referred to the area as "Chinese Turkestan" (Benson, 1990: 19).

It is interesting to note that in recent times, Xinjiang has increasingly become more important as it is located on the route of the "Belt and Road Initiative" or BRI. Hence, the Chinese government has taken efforts to "revive" the Silk Road by linking the province with other important cities in Central Asia such as Bishkek, Almaty, Dushanbe and Tashkent. It must be noted that Xinjiang is also rich with its natural resources especially oil and gas. For example, Tarim Basin is thought to contain nearly 240 billion cubic meters of natural gas reserves and 11 billion tons of crude oil reserves (*ibid.*: 185).

Ethnically, people in Xinjiang can be divided into two major categories: the Turkics who are natives of Xinjiang and the non-Turkic people. The Turkics are further divided into the Uyghurs¹, Kazakhs, Kirghizs, Uzbeks and Tajiks with the majority of them being Muslims. The Uyghurs (45.2 percent) are the largest ethnic group in Xinjiang followed by the Kazakhs (6.7 percent), Kirghizs (0.86 percent), Tajiks (0.7 percent) and Uzbeks (0.6 percent) (National Bureau of Statistics and State Ethnic Affairs Commission, China, 2003). The Uyghurs are also predominant in the southern part of Xinjiang. They live mainly in Kashgar, Aksu, Turpan, the Kizilsu District and the Khotan Autonomous Prefecture, the Kizilsu Kyrgyz Autonomous Prefecture and the Tashkurghan Autonomous County (*ibid.*).

The Uyghurs can be found in other parts of Central Asia such as Afghanistan, Uzbekistan, Kazakhstan, Turkmenistan and parts of Russia. They may be politically divided but are ethnically similar. The non-Uyghur category consists of the Han Chinese, Hui, Mongolian, Dolan, Lopliks, Abdal, Salar, Dongxiang, Zhung, Tibetan, Taranchi, Sibo, Solon, Bonan, Manchurian and Russian peoples (Dawamat, 1993: 79). The Hans are the largest non-Uyghur community due to migration from China proper since the late 1950s. The Chinese Hans are concentrated in the northern and eastern parts of Xinjiang.

It is noteworthy to mention that the previous socialisation between the two ethnic groups has a tremendous impact on influencing the political development of the province. Historical events have created a negative impression of the Hans amongst the Uyghurs who view them as colonists and whose presence in Xinjiang threatens the survival of the Uyghur culture, tradition and the Islamic faith. Besides, the Hans are also perceived as “robbers” who have plundered the Uyghur homeland and marginalised its populace. Similarly, the Chinese also have a negative impression of the Uyghurs who are considered to be an inferior ethnic group. In fact, they hold the view that the Uyghurs were once part of the “Greater Hans”; considering themselves to be more civilised and superior, hence the Uyghurs should be subdued and controlled.

Past socialisation has demonstrated that the Uyghurs have been struggling against the Chinese authorities, therefore the separatist movement in the region is nothing new; only the nature of the Uyghur struggle has changed over time. The early nature of their struggle was mainly led by chieftains such as Yakub Beg, attempting to regain control of East Turkestan from the Ching Dynasty (1644-1911). The collapse of the Ching Dynasty in 1911 and the shift from monarchy to republic rule in China has helped transform the nature of the Uyghur struggle from

one that was feudalistic to one that is ideologically based. Other than that the drastic change was brought about because unlike the previous Uyghur leaders who were chieftains and warriors, the Uyghur nationalists in the 1930s and 1940s were educated in Russia and other Western nations such as Britain.

Hence, the Uyghur nationalism started to be influenced by Western ideas such as democracy and principle of self-determination. For example the Kulja Declaration of the East Turkestan Republic (ETR) in 1944, which called for the creation of a democratic government, included issues such as freedom of religion and upgrading of education and public health. The structure of the central government of the ETR was based on modern government structure which comprised of a national council with ten ministries.

The nature of Chinese policies over the Uyghur population can mainly be divided into two major categories, namely, the policy of direct control and indirect control. Direct control involves the use of the might of the Chinese military to defeat Uyghur uprisings which was also employed by the Ching Dynasty during the Yakub Beg's rebellion in the 19th century. The Koumintang (KMT) used both direct and indirect control in the early years of the republic when they ruled through their proxies such the Chinese warlords and directly later taking over the province by defeating the separatist movements in the 1930s and 1940s such as the Turkish Islamic Republic of East Turkestan (TIRET) and the ETR.

3. The Afghan War and Radicalisation of Uyghurs

It must be noted that political violence in Xinjiang is not a new phenomenon, but in fact the continuity of the Uyghurs' struggle for independence since the Ching Dynasty. This is further complicated by

the support the Uyghurs receive from other pan-Turkic nationalists and religious extremists in neighbouring states. The experience encountered by the Uyghurs during the Cultural Revolution had increased their frustrations which consequently contributed to the political violence during the 1980s and 1990s. The Uyghur dissidents organised several political organisations which aimed at championing the rights of their people and seeking self-government in Xinjiang. Among them were the Eastern Turkestan Islamic Party, the Eastern Turkestan Gray Wolf Party, the Eastern Turkestan Independence Organisation, the Eastern Turkestan People's Party and the Eastern Turkestan Liberation Front (Kostrzewa, 1996: 210). All of them were banned by the Chinese government and many Uyghurs who were alleged to be members of these organisations were arrested by the police (*ibid.*).

Besides, in the 1980s the opening up of borders had increased the contacts between the Uyghurs with other Muslims living in Pakistan, Central Asia and the Middle East, which resulted in the Uyghurs being exposed to radical ideas (Rogers, 2007: 93). It is worthwhile to mention that following the Sino-Soviet rivalry and border clashes, in the 1960s and 1970s, China agreed to support the Mujahideen against the Soviet occupation in Afghanistan. The dictum of “my enemy's enemy is my friend” was China's motivation in supporting the Mujahideen in their struggle against their common enemy, the Soviet Union. John Cooley argues that the Chinese were in fact providing weapons to the anti-Soviet Afghan government as early as June 1979, six months prior to the Soviet invasion into Afghanistan (Cooley, 1999: 72-73). During the 1980s, the Chinese government had in fact recruited some Uyghurs to fight with the Mujahideen.

Besides the Uyghurs, other Turkics from Xinjiang including the Kyrgyzs, Kazakhs and Uzbeks were recruited by the Chinese military intelligence. They were selected because of their cultural and religious

empathy with the Afghans. According to Rashid, the Pakistani officials had confirmed that hundreds of Uyghurs were trained in Pakistan to fight the Soviets in Afghanistan (Rashid, 2002). During the Afghan War, China had also provided the Mujahideen weapons estimated to be at US\$400 million (Lufti, 2001: 205). According to Cooley, in 1985, the Chinese government had established military training camps within Xinjiang such as those in Kashgar and Khotan to train Turkic fighters (Cooley, 1999: 75). They were especially trained with the methods of using modern weapons such as surface-to-air missiles and light portable weapons.

Upon the withdrawal of the Soviet troops from Afghanistan, many of the Turkic fighters returned to Xinjiang (Clarke, 2007). However, they continued their “battle” against the Communist ideology in Xinjiang. Hence, the Uyghurs’ resistance had turned more violent by using methods such as bombings, burning down of government buildings and the killing of government officials in the late 1980s and 1990s. According to Michael Winchester, the leader of the Baren riots, Zahideen Yusuf, was inspired by the victory of the Afghan struggle against the Soviets (Winchester, 1997: 31).

Another important feature of the resistance was the rise of religious militants and the use of small arms like machine guns, hand grenades and dynamites in their attacks. Therefore, this convinced the CCP to impose more stringent laws. It is very important to note that the increased violence in Xinjiang is due to the inconsistent policy of Beijing towards the Turkic Muslims. This was because of the impact of China’s role during the Afghan War whereby China’s support for the Mujahideen had enabled contact between militants within and outside Xinjiang (Lufti, 2001: 205).

A series of armed resistance happened in Xinjiang during the 1980s; one of them took place in Aksu which is located between Urumqi and

Kasghar (Debata, 2007: 141). It occurred in April 1980 and the CCP had to bring in the armed forces to subdue the riots. The outbreak of riots prompted CCP leaders to visit the province to assess for themselves the conditions in Xinjiang. For example, in October 1980, Wang Zhen (王震), a member of the Politburo, was dispatched to Xinjiang. During Wang Zhen's visit in November, he ordered the Xinjiang CCP to implement strict measures to counter the ethnic unrest (McMillen, 1984: 576).

In the following year on 30 October, another riot broke out in the city of Kashgar. It was due to the dissatisfaction of the Uyghurs regarding a trial in which a Han was accused of murdering a Uyghur youth during a fight (Becquelin, 2000: 66). The riot turned violent when the rioters started to attack the local Hans who were living in Kashgar. The rioters shouted anti-Chinese slogans such as "Down with the *Heidaye* government" and "Long Live the Republic of Uyghuristan" (*ibid.*). Finally, the CCP had to mobilise the Chinese People's Liberation Army (PLA) to subdue the rioters. According to Chinese sources, the outbreak of violence resulted in two deaths and 200 injured. By the end of 1981, at least 30,000 Hans fled Xinjiang for Shanghai due to fears of being attacked by anti-Han demonstrators (Dillon, 2004: 60).

It noteworthy to mention that the growth of religious extremism in Xinjiang has been a result of the Afghan War during the 1980s especially China's policy in training the Uyghurs to fight with the Mujahideen that had backfired. According to Cooley, "when you decide to go to war against your main enemy, take a good look at the people you chose as your friends, allies or mercenary fighters to see whether they already have unsheathed their knives and are pointing them at your own back" (Cooley, 1999: 241).

4. Impact of Radicalisation: Political Violence in Xinjiang

The political and security conditions in the 1990s became worse due to riots and demonstrations. The Uyghurs' motivation for independence was further strengthened by the disintegration of the USSR and the independence of the former Soviet republics in Central Asia. One of the worst riots was in the 1990s which occurred in the town of Baren, 50 kilometers southwest of Kashgar. The Chinese authority held the Eastern Turkestan Islamic Party (ETIP) responsible for the riots. It started on 5 April 1990 when a group of Uyghur men criticised the Chinese policies toward ethnic minorities while attending prayers at a mosque (Shichor, 1994: 74). It eventually developed into a mass demonstration against the Chinese Han. The police were unable to subdue the riots and their weapons were confiscated. The rioters even threw bombs at police stations and attacked government buildings. On the following day, the rioters murdered five government officials. Among them was Xu Xinjian (许新建), the Deputy Political Instructor of Aksu County Border Defence Regiment. Police from the Kashgar Battalion who were despatched to inspect the troubled area was attacked and two of them were killed and one wounded (*ibid.*, 75). Therefore, the CCP had to deploy the Public Security Bureau, the People's Armed Police and militia units from Kashgar to suppress the riots (*ibid.*).

The damages due to the riots had been uncertain as there were conflicting reports. According to Chinese sources, six police officers and one Uyghur cadre had been killed. Whereas, the foreign press and Uyghur organisations abroad reported that there were over 60 deaths (Dillon, 2004: 62-63). What was certain was that the riots further convinced the Chinese authorities that harsher policies had to be implemented. One such policy was the "strike hard" policy that disregarded the basic human rights of the Uyghurs.

However, this did not prevent some Uyghurs from becoming more aggressive and violent. On 5 February 1991, several explosions occurred in Urumqi which was the provincial capital of Xinjiang, whereby three persons were killed, four seriously wounded and another 11 suffered minor injuries. This was followed by another explosion at a bus terminal in Kuqa County of the Aksu Prefecture on 28 February which killed one person and wounded 13. The aim of the attack was to create fear among the Han Chinese living in Xinjiang (*ibid.*).

Three years after the Urumqi bombings, Xinjiang was again faced with yet another civil unrest. It happened on 22 April 1995 in the district of Ili, which is located in the northwest of Xinjiang. Residents of the district gathered at Yining, the administrative town of the district, demanding independence. They shouted anti-Chinese slogans such as “Long Live Uyghur Xinjiang” and “End Communist Rule in Xinjiang”. About 50,000 people gathered during the rally (*ibid.*: 68-71). Two days later as many as 100,000 people who consisted of workers, teachers and shopkeepers organised a strike to protest against the presence of Chinese in the district. The demonstration turned violent and many government offices in Ili district were attacked and ransacked (*ibid.*). Local police units were unable to disperse the angry crowd. Some of the rioters were armed with light machine guns, smuggled in from Russia. During the 1995 Ili civil unrest, as many as 88 people were killed and 200 injured as a result of the fighting between the local police units and the insurgents. Finally, the CCP State Council and Central Military Commission had to dispatch 20,000 troops from the 33rd and 41st divisions to subdue the civil unrest. As a result, a curfew and martial law were imposed in the district (*ibid.*).

The martial law did not deter the Uyghurs from other districts from continuing their anti-Han Chinese struggle. Local leaders who

cooperated with the Chinese authorities were considered as traitors and targets of attacks by the separatist groups. Among the victims of the politically motivated assassinations were Abliz Damolla, an executive committee member of the Chinese People's Political Consultative Conference, Yecheng County Committee in Kashi Prefecture and an *imam*.² Both of them were stabbed by two Uyghurs on 24 August 1993. Similarly, in March 1996, in the district of Aksu which is located between Urumqi and Kashgar, Hekim Sidik Karihaji, the vice-chairman of the Islamic Association of Aksu Prefecture was assassinated. The assassination was politically motivated as the Uyghur separatists considered Hekim Sidik Karihaji as a traitor to their community for collaborating with the Chinese government (Dillon, 2004: 72).

It is noteworthy to mention that during the Ili civil unrest, two top officials were sent to monitor the situation. They were Luo Gan³, secretary general of the State Council and Li Jing, deputy chief of the General Staff. Their presence proved that the civil unrest in Xinjiang had become a serious concern for Beijing and the situation in Xinjiang cannot be ignored or dismissed as mere demonstrations but rather insurrection against the Chinese rule. Hence, the main consideration of the CCP was to ensure the interest and the safety of the Han Chinese in the province at all cost.

The province continued to experience ethnic violence and in February 1997, another insurrection against Chinese rule broke out in Yining. According to the Uyghur diasporas living in Kazakhstan, the insurrection was a reaction against the Chinese authorities who allegedly executed some Uyghurs for separatism. Moreover, some Uyghurs were upset with the government's decision to ban the Uyghur traditional gathering known as *mashrap*. All these led to another insurrection which occurred during the celebrations of *Id al Fitr* and Chinese New Year. On 5 and 6 February 1997, while most people were in a festive mood, some

Uyghur youths attacked the Han residents. At least ten Hans were killed and more than 100 injured including police and paramilitary personnel (Dillon, 2004: 92). The authorities imposed a curfew. Military units from the other districts were called in to suppress the insurrection. According to Amnesty International, the police and military violated human rights by opening fire on the crowd regardless of whether they were the demonstrators or not. Hence, this incident had resulted in several people, including women and children, injured (Amnesty International, 1999: 2).

Despite the efforts of the Chinese authorities to suppress any insurrections that occur, the political violence in Xinjiang did not end. In March 1997, it was alleged that a group of Uyghur separatists were responsible for the bombing of a bus in China's capital city of Beijing injuring 30 people (*The Economist*, March 1997). Hence, the ethnic violence in Xinjiang was no longer confined to the province anymore; instead it had spread into other cities. The province witnessed a series of explosions in March 2008 for which the Chinese authorities alleged the Uyghur separatists to be responsible. On 23 March 2008, the Uyghurs held anti-government protests in the town of Khotan, which is located in the western region of Xinjiang. According to the CCP, the Uyghurs were motivated by the 2008 Tibetan unrest⁴. The authorities maintained tight control on information from the area and reports of deaths or the denials of deaths by the CCP could not be independently verified (*The Wall Street Journal*, April 5, 2008).

It is important to note that during the Olympics torch relay the police conducted a massive security operation in Kashgar as they feared that the Uyghur separatists would disrupt the event. In August, during the Olympics in Beijing, Xinjiang again encountered a series of explosions which claimed 31 lives. The Chinese authorities alleged that the Uyghur separatists were responsible for these attacks. They claimed that the aim was to bring international attention to the situation in

Xinjiang (*ibid.*). According to Rohan Gunaratna⁴, the Uyghur separatist groups such as the Eastern Turkistan Islamic Movement (ETIM) were “responsible for a series of bombings in Xingjiang [sic] and elsewhere in China in the lead up to the recent Beijing Olympics” (Gunaratna, 2009: 1-2). Gunaratna also claims that ETIM had received training, weapons, finance and ideology from international terrorist groups such as Al Qaeda (*ibid.*).

In the following year, on 5 July 2009, another major riot occurred in Urumqi, the capital city of Xinjiang. The riot was triggered by the death of two Uyghur workers in Guangdong and the way the Chinese government handled the case. The Uyghurs alleged that the Han employers in Guangdong discriminated against the Uyghur workers and treated them poorly. In addition, the Uyghurs in Xinjiang also alleged that fellow Uyghurs working in Guangdong were also discriminated against by Han workers. On 25 June 2009, fighting occurred between the two groups in a toy factory in Shaoguan, Guangdong over a rumour that six Uyghur workers raped two female Han workers, which resulted in the death of two Uyghurs. The incident had caused the Uyghurs to be very upset. It had also triggered frustration and anger among them and on 5 July 2009, at least 1,000 Uyghurs protested and attacked the Han Chinese. Police attempted to quell the rioters with tear gas, water hoses, armoured vehicles, and roadblocks, and the government imposed curfew in most urban areas. Two days later, on 7 July, the Han retaliated against the Uyghurs. According to the authorities, 197 people were killed and 1,721 were injured. In addition to the loss of lives, many vehicles and buildings were destroyed.⁵

The Uyghur diasporas rejected the figures provided by the Chinese authorities, claiming that the death toll was higher. During the ethnic clashes, the authorities shut down Internet services and restricted cell phone services in Urumqi. On 8 July, Chinese president Hu Jintao

cut short his attendance of the 35th G8 summit and returned to China due to the situation in Xinjiang. The Chinese central government, however, had claimed that the riots were planned from abroad by the World Uyghur Congress (WUC). However, Rebiya Kadeer, the president of WUC, denied the allegations. In less than six months after the July “Urumqi Riots” ended, the province faced another ethnic clash. This clash, occurred in mid-August, involved as many as 476 individuals getting stabbed with hypodermic needles.

It is noteworthy to mention that since the CCP took over the administration of Xinjiang in 1949, the province has been experiencing numerous ethnic clashes between the Chinese Hans and the Uyghurs. The government reformed its policies in the early 1980s by granting more economic opportunities and cultural freedom to the Uyghurs. They were intended to appease the Uyghurs’ anger towards Chinese rule and to promote suitable conditions for the economic development of the province. Unfortunately, despite the liberalisation of policies, the intended result did not materialise and the Chinese were caught in a “Catch-22” situation. This is because if the Chinese government were to grant further freedoms to the Uyghurs, they would be more content with the government but would also strengthen their ethnic and religious identity which would lead to Uyghur separatism and antipathy toward the Han Chinese. According to Frederick Starr, “greater autonomy will not elicit a burst of gratitude, but rather will elicit much more explicit demands for political and ethnic autonomy. This is the terrible paradox the Chinese have created for themselves.” (Starr, 2004)

It is interesting to point out that China has adopted the “carrot and stick” approach which is aimed at promoting economic development and maintaining stability in Xinjiang. The CCP adopted the “carrot” approach by granting some freedom to the Uyghurs such as the right to worship and use their language as well as some preferential policies such

as job employment in government departments. The “stick” or coercive approach is used when the CCP is confronted by the separatist groups demanding for independence. This shows that China is willing to take a hard-line approach to defend its national unity and security. It also wants to send a signal to the international community that it will never give up its sovereignty over any of its provinces including Xinjiang. The crucial issue for the CCP is not whether the human rights conditions in Xinjiang have improved; instead ensuring the safety and security of the province and the Han Chinese living in Xinjiang takes precedence.

5. Chinese Government Response: Strike Hard

The CCP has adopted stringent policies in Xinjiang as response to the security situation in Xinjiang. It is noteworthy to mention that by December 1990, the CCP had instituted hard-line stance against any possible ethnic unrest. The PLA had declared that it would become a “great wall of steel and iron safeguarding the Chinese motherland”⁶. In addition, the CCP also declared that it would reassert its control over the practice of religion in Xinjiang. The strategies highlighted in the Strike Hard policy were condemnation of the separatist movements in Xinjiang, strengthening control of ethnic as well as religious affairs and a full-scale mobilisation at all levels of the security apparatus to counter social unrest in the region. The Strike Hard policy also suggested the use of diplomacy in the Central Asian region to pressure neighbouring countries into cracking down various Uyghur groups that were in exile.

In addition, only *haji* applicants aged 50 and above were allowed to visit Mecca and no Uyghurs were given permission to study in either Iran or Pakistan. Private religious schools and mosques were closed and many Uyghurs suspected of harbouring anti-Chinese sentiments were arrested and executed. The CCP also examined the publication and

printing of religious books. The government issued “Document Number 175” which referred to a “Three-No” policy: “no questioning, no telling, no visiting”. No one was allowed to question what had happened in Yining, nor were they allowed to tell outsiders the true story, and they were not allowed to visit relatives who had been imprisoned in Yining.

According to an Amnesty International report, instant trials were conducted for those accused of taking part in the riots followed by immediate public executions (Amnesty International, 2002). The protest in Baren, Kashgar in April 1990 by certain Islamic groups reinforced these fears. It is noteworthy to mention that from the mid-1990s onwards, private mosques and religious schools were shut down (Millward, 2006). Government employees and university students were constantly being reminded that prayer, fasting during Ramadan and the wearing of the *hijab* or head scarf were inconsistent with Communism, and therefore they may be dismissed if they continued practicing their religious obligations. It is interesting to note that according to the Chinese constitution, citizens have two religious freedom. They have the right to believe and the right not to believe in religion (*ibid.*). Since the mid-1990s the CCP has emphasised that all party members, government employees as well as students should only adopt one freedom: the freedom not to believe in religion.

The closing down of religious schools caused many Uyghurs to start private religious classes in their homes to the extent of risking the lives of their family members. This was because if their activities were to be discovered by the police, family members as well as the religious teacher will be arrested. Some had been sent to labour camps for “re-education”. Abulahat Abdurixit, the chairman of the Xinjiang Autonomous Region, stressed that the government must prohibit and enforce bans on every kind of publication that contradicted the Chinese version of Xinjiang’s history, advocated Uyghur nationalism and created religious awareness.

Many mosques were closed down because they were considered “bad influence” to youths. For example, in Karakash, south of Xinjiang, it was reported that the government closed down the Dong mosque because it was located near a school (Amnesty International, 2002).

Amy Reger⁷ also confirms that the Chinese government prohibited the Uyghur Muslim employees from fasting during Ramadan 2008. Uyghur Muslim government employees were encouraged to shave their beards and free lunches were served during Ramadan in order for the Uyghur Muslim employees to break their fast. According to Amnesty International, about 8,000 Islamic prayer leaders or *imams* and religious teachers were forced to attend political indoctrination classes. The aim was to ensure that they abided by socialist ideas and remained loyal to the CCP.

In addition, the CCP has also attempted to suppress the Uyghur culture and traditions. The CCP fears that the Uyghur culture would a motivating force for separatism. It is a deliberate effort to control, monitor and sterilize Uyghur culture so that it cannot inspire the Uyghur for self-rule. Several cities in Xinjiang which serve as iconic places for the Uyghur culture and traditions have undergone drastic changes. For example, in the historic city of Kashgar, the government has planned to demolish 85 percent of its old town.

Besides that, the government has renamed Kashgar as “Kashi”, a more Chinese-sounding name. Many Uyghurs including those living outside Xinjiang fear that a form of cultural genocide is taking place in Xinjiang, which may create a new generation of Uyghurs who neither know nor appreciate their own culture and ethnic heritage. Donald McMillen believes that “the CCP wants to totally ‘integrate and assimilate’ minorities in Xinjiang and create a ‘Chinese’ nation and maintain the CCP’s supremacy” (personal communication with Donald McMillen)⁸.

6. Conclusion

The “reform and opening-up” policies advocated by Deng Xiaoping have made the CCP recognise human rights norms while it maintains its view that the norms need to be interpreted based on local variables such as economic conditions, history, culture and traditions. China continues promoting the view that socio-economic development is the way to improve the conditions of China’s minorities. Hence, since the early 1980s the Chinese government has granted certain rights to the minorities living in Xinjiang. The aim was to appease the Uyghurs and gain their support in developing the economy of the province. However, the economic development of Xinjiang has also intensified the migration of Hans into the province.

Although the CCP has liberalised its policies towards the Uyghurs, this does not mean that it will tolerate any secessionist attempts by the Uyghurs. Furthermore, there were some Uyghurs who continued to resist the Chinese administration. In fact, the resistance had turned more violent in the 1990s after the disintegration of the USSR and in the 2000s. Consequently, the CCP has halted the liberal policies and reverted to harsher approaches by implementing the “strike hard” policy.

This study concludes by emphasising that the freedom of religious and cultural expression granted by the CCP in the 1980s was hijacked by the separatist movements. The separatist movements in the 1990s have caused the CCP to be in a “Catch-22” situation whereby the policy of liberalisation by allowing greater religious freedom and freedom of movement has “backfired”. Hence, the main goals of the CCP are to defend the territorial integrity and security of the province, protect the presence of the Chinese Han in Xinjiang and ensure the economic development of Xinjiang. Basically, China will do whatever it takes to achieve its interests in Xinjiang even at the expense of violating human rights norms.

Notes

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1. The meaning of the term *Uyghur* is unclear. However, most Uyghur linguists and historians regard the word as coming from *uyughur* (*uyushmaq* in modern Uyghur language), literally meaning “united” or “people who tend to come together”. *Uyghur* is often pronounced /'wi:gər/ by English speakers, though an acceptable English pronunciation closer to the Uyghur people's pronunciation of it would be /u:.i'gʊr/. Several alternate romanisations also appear: *Uighur*, *Uygur*, and *Uigur*. The Xinjiang Uyghur Autonomous Region's provincial government

recommends that the generic ethnonym adopted in the early 20th century for this Turkic people be transcribed as “Uyghur”.

2. In Islam *imam* is a person who leads in prayer.
3. In 2007 Luo Gan (羅幹) had been elected as the 5th Secretary General of Political and Legislative Affairs Committee of the Communist Party of China Central Committee.
4. Rohan Gunaratna is a professor at the Rajaratnam School of International Studies (RSIS), Nanyang Technology University in Singapore. He is also the head of the International Centre for Political Violence and Terrorism Research (ICPVTR).
5. “Kazakh Uyghurs hold mass protest” (reported by Peter Leonard), *ABC News*, 19th July 2009 (updated 22nd July, 2009). <<http://abcnews.go.com/International/wireStory?id=8121182>>
6. 新疆日報 (*Xinjiang Daily*), 29th November 1990.
7. Amy Reger is a researcher at the Uyghur Human Rights Project.
8. Personal Communication with Professor Donald McMillen at the Faculty of Arts and Administration, University of Southern Queensland, Australia, via email on 18th September 2010.

References

- Amnesty International (April 1999). *People's Republic of China: Gross violations of human rights in the Xinjiang Uighur Autonomous Region*. London: Amnesty International.
- Amnesty International (March 2002). *People's Republic of China's anti-terrorism legislation and repression in the Xinjiang Uighur Autonomous Region*. London: Amnesty International.
- Becquelin, Nicolas (2000). Xinjiang in the nineties. *The China Journal*, Issue 44, July, pp. 65-90.

- Benson, Linda (1990). *The Ili rebellion: The Moslem challenge to Chinese authority in Xinjiang, 1944-1949*. New York: M.E. Sharpe.
- Clarke, Michael (2007). The 'centrality' of Central Asia in world history, 1700-2007: From pivot to periphery and back again? In: Colin Mackerras and Michael Clarke (eds), *China, Xinjiang and Central Asia: History, transition and crossborder interaction into the 21st century*. London: Routledge, pp. 156-190.
- Cooley, John (1999). *Unholy wars: Afghanistan, America and international terrorism*. London: Pluto.
- Dawamat, Tomur (1993). *Xinjiang – My beloved home*. Beijing: China Today Press.
- Debata. Mahesh Ranjan (2007). *China's minorities: Ethnic-religious separatism in Xinjiang*. New Delhi: Pentagon Press.
- Department of Population, Social, Science and Technology Statistics of the National Bureau of Statistics of China and Department of Economic Development of the State Ethnic Affairs Commission of China (2003). *Tabulation on nationalities of 2000 Population Census of China*. Beijing: Nationalities Publishing House.
- Dillon, Michael (2004). *Xinjiang: China's Muslim far northwest*. London: RoutledgeCurzon.
- Dreyer, June Teufel (1976). *China's political system: Modernization and tradition*. London: MacMillan Press.
- Forbes, Andrew D.W. (1986). *Warlords and Muslims in Chinese Central Asia: A political history of republican Sinkiang 1911-1949*. Cambridge: Cambridge University Press.
- Fuller, Graham (1992). *Central Asia: The new geopolitics*. Santa Monica, CA: RAND Corporation.
- Gladney, Dru C. (2004). Responses to Chinese rule: Patterns of cooperation and opposition. In: S. Frederick Starr (ed.), *Xinjiang: China's Muslim borderland*. London: M.E. Sharpe, pp. 375-396.

- Gladney, Dru C. (1996). Islam in China. In: *The Oxford encyclopaedia of the modern Islamic world*, Vol. 12. Oxford: Oxford University Press.
- Gunaratna, Rohan (14 July 2009). Ethnic violence in China: Time for a change in Beijing's approach? *RSIS Commentaries*, 68/2009.
- Kostrzewa, Thomas K. (1996). Separatist nationalism in Xinjiang. (Unpublished doctoral dissertation.) Notre Dame, IN: University of Notre Dame.
- Lattimore, Owen (1950). *Pivot of Asia: Sinkiang and the Inner Asian frontiers of China and Russia*. Boston: Little, Brown.
- Lufti, Ahmad (January/February 2001). Blowback: China and the Afghan Arabs. *Issues and Studies*, Vol. 37, No. 1. pp. 160-214.
- McMillen, Donald H. (1979). *Chinese Communist power and policy in Xinjiang*. Boulder, CO: Westview Press.
- McMillen, Donald (1984). Xinjiang and Wang Enmao: New directions in power, policy and integration? *The China Quarterly*, Vol. 99, pp. 569-593.
- Millward, James A. (2006). *Eurasia crossroads: A history of Xinjiang*. New York: Columbia University Press.
- Perdue, Peter C. (2005). *China marches west: The Qing conquest of central Eurasia*. Cambridge, MA: Belknap Press of Harvard University Press.
- Rashid, Ahmed (1999). *The resurgence of Central Asia: Islam or nationalism?* London: Oxford University Press.
- Rogers, Roy Anthony (2007). The Shanghai Cooperation Organization, China and the new Great Game in Central Asia. *Journal of International Studies*, Vol. 3, pp. 92-105.
- Shichor, Yitzhak (1994). Separatism: Sino-Muslim conflict in Xinjiang. *Pacifica Review: Peace, Security & Global Change*, Vol. 6, No. 2, pp. 71-82.
- Starr, S. Frederick (ed.) (2004). *Xinjiang: China's Muslim borderland*. London: M.E. Sharpe.
- The Economist* (15-21 March 1997). A bomb in Beijing.

- The Wall Street Journal* (updated 5th April 2008). Muslim 'separatists' protest as unrest spreads in China. <http://online.wsj.com/public/article_print/SB120735402342591389>
- Tyler, Christian (2003). *Wild West China: The taming of Xinjiang*. London: John Murray.
- Walsh, J. Richard (1993). China and the new geopolitics of Central Asia. *Asian Survey*, Vol. 33, No. 3, March, pp. 272-284.
- Whiting, Allen S. (1980). *Sinkiang: Pawn or pivot?* Boston: Little, Brown and Co. (first published in 1958, includes the memoirs of General Sheng Shih-Ts'ai / 盛世才)
- Winchester, Michael (24 October 1997). China vs. Islam. *Asiaweek*, Vol. 23, No. 42, pp. 30-42.
- Wu, Aitchen (1984). *Turkistan tumult*. Hong Kong: Oxford University Press.

Parliamentary Representation in the Macau Special Administrative Region: A Quantitative Analysis of Roll Call Voting Behavior in the 5th Legislative Assembly, 2013-2017

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Abstract

This paper examines the nature of parliamentary representation in the Macau Special Administrative Region through an extensive roll call voting analysis for the 5th term Legislative Assembly from 2013 through 2017. It presents a considerable amount of variance in the decision-making of the legislators, meaning that the Macau legislature is not just a rubber stamp but a place where a series of collective decisions are made with careful consideration of the individual legislators. Unlike the conventional wisdom that the pro-establishment politicians dominate Macau politics, its social network analysis reveals that two distinct groups shape legislative politics in Macau. Its spatial model of roll call voting finds that most of collective decision-makings fit a single government-opposition dimension.

Keywords: *parliamentary representation, roll call voting behavior, one country two systems, Macau*

1. Introduction

The main objective of this paper is to examine the nature of parliamentary representation in the Macau Special Administrative Region. Despite the important role of parliamentary activities in our understanding of politics and society, little is known about how political elites behave inside the Legislative Assembly of Macau. Is there a meaningful variance of legislative behavior that allows a further investigation? If so, to what extent and in what ways political elites in the legislature act differently and what are the main factors drawing such divergent legislative representation? These are important but rarely studied research questions for understanding the contemporary government and politics in Macau.

In this first quantitative research on legislative politics in Macau, to my best knowledge at least in the literature written in English, I use the original data of roll call voting in the 5th term Legislative Assembly from 2013 through 2017 for capturing the pattern of legislative representation in Macau. A close look at the roll call voting data suggests that a considerable amount of variance exists in this final stage of legislative policy-making process. Legislators were actively engaged in these collective decision-making activities. In their overall roll call voting decisions, extremely high (dis)agreements are rare. That is, the Macau legislature is not just a rubber stamp but a place where a series of collective decisions are made with careful consideration of the individual legislators.

Unlike the conventional belief that the pro-Beijing legislators have dominated Macau politics, this paper's social network analysis further finds that two distinct groups of approximately equal size exist in the legislature. Its spatial model of roll call voting also sheds a new light on Macau politics by presenting that most of collective decision-makings fit a single government-opposition dimension.

The remainder of this paper is organized as follows. Section 2 describes the basic feature of government and politics in Macau. Section 3 reviews relevant literature. Section 4 provides an empirical analysis. And Section 5 concludes.

2. Political Structure in Macau

The formal English name of the Macau government is the Macau Special Administrative Region of the People's Republic of China (officially in Chinese: 中華人民共和國澳門特別行政區政府; in Portuguese: *Governo da Região Administrativa Especial de Macau*). As shown by this lengthy name with the two different official languages, Macau has been experiencing its unique historical trajectory. This small city was one of the first Western settlements in East Asia, governed by the Portuguese Empire and its successor of the Portuguese Republic from the mid-16th century. Followed by the Sino-Portuguese Joint Declaration in 1987, its sovereignty was returned to the People's Republic of China on 20th December 1999. Since then, the Macau government has administered this territory in close to twenty years, semi-independently.

“One country, two systems” (in Chinese: 一個國家，兩種制度; in Portuguese: *um país, dois sistemas*) is the key principle for governing Macau as well as Hong Kong under the Chinese sovereignty. This doctrine honors the established institutions and rules in the colonial period of the two regimes and declares that the socialist system and policies in Mainland China would not be practiced in these two post-colonial regimes for 50 years after the handover. Under this rule, except for military defense and foreign affairs, the local governments are authorized to exercise most of government affairs, such as judiciary and courts system, law enforcement, monetary and tax policy, business,

education, healthcare and social welfare, and immigration and customs policy. If it is not related to the sovereignty issue, participation in international organizations and conferences is also allowed¹. At the same time, however, this high degree of autonomy with limited interference by the Central Government and the Chinese Communist Party is granted only by the willingness of the Mainland².

The Macau Basic Law (in Chinese: 中華人民共和國澳門特別行政區基本法; in Portuguese: *Lei Básica da Região Administrativa Especial de Macau da República Popular da China*) implements the “One country, two systems” principle for its governance. This constitution not only defines the fundamental foundation of the “One country, two systems” principle, the rights and duties of Macau citizens, and the key rules of economic, cultural, and social affairs, but also specifies the Macau government’s political structure. In particular, Chapter IV proclaims the separation of powers³ into three branches: The Executive branch headed by the Chief Executive, the Legislative Assembly, and the Judiciary. The selection of the Chief Executive has been done indirectly by 300 members of the Election Committee⁴. As the Chief Executive of Macau is not elected by universal suffrage, the Legislative Assembly is the only place for Macau citizens to be empowered to choose their representatives, while not all legislative seats are filled by directly elected legislators.

The Legislative Assembly (in Chinese: 立法會, in Portuguese: *a Assembleia Legislativa*) is the counterpart of the government body for checks and balances over the executive branch. The Basic Law (Article 71, Section 4, Chapter IV) stipulates this unicameral body’s powers and functions, including law-making, budgetary examination and approval, decision-making over taxation and debts proposed by the executive branch, as well as policy and public issue debate. Members of the Legislative Assembly have the right for bill introduction and

parliamentary question (Article 75-6, Chapter 4, Section IV). They are also responsible for collective decision-making of bills and motions whether to be passed or not⁵.

Regarding the executive-legislative relation, the Chief Executive has the power of dissolution of the Legislative Assembly in case if he or she declines to sign a bill passed by the Legislative Assembly⁶ or if the Legislative Assembly is against the budget proposed by the executive branch (Article 52, Chapter 3, Section IV). By contrast, the Legislative Assembly is assigned the power of impeachment of the Chief Executive; first, the Legislative Assembly forms an independent investigation committee when the Chief Executive is charged with serious law breach or dereliction of duty, and if the committee finds it to be sufficient, the Legislative Assembly is able to impeach the Chief Executive by a two-thirds majority of the legislature (Article 71, Chapter 4, Section IV).

Table 1 Composition of the Legislative Assembly of Macau, 1999-2017

Term	Year	Total	Direct Election	Indirect Election	Appointed
1st	1999-2001	23	8	8	7
2nd	2001-2005	27	10	10	7
3rd	2005-2009	29	12	10	7
4th	2009-2013	29	12	10	7
5th	2013-2017	33	14	12	7

Source: Author's count from the Basic Law.

Table 1 describes the organizational evolution of the Legislative Assembly. Its term is four years, except for the first term served in two years. The size of the legislature has been increased gradually from 23 in

the 1st term through 27 in the 2nd term and 29 in the 3rd and 4th terms to 33 in the 5th term. It comprises the legislators directly elected by voters (直接選舉議員 in Chinese, *Deputados Eleitos por Sufrágio Directo* in Portuguese), those who are indirectly elected by an electoral college (間接選舉議員 in Chinese, *Deputados Eleitos por Sufrágio Indirecto* in Portuguese), and the seven members appointed by the Chief Executive (特首委任議員 in Chinese, *Deputados Nomeados pelo Chefe do Executivo* in Portuguese).

As regards the direct election, legislators are elected in the closed list proportional representation system under the highest averages method⁷ in a single geographical constituency covering all territories of Macau. This territorial election has been competitive that voters have faced up to twenty lists of associations⁸ and cast a ballot on a single list. This large volume of the list submission is due to the electoral rule that benefits a small size of affiliated members, but at the same time, it is criticized for fostering a distorted proportional representation with a lack of electoral majority for strengthening the legislature. Electoral campaigns have been low-profile due to little interest from voters who are relatively satisfied with economic development based upon the Casino boom. Several ethical issues, violations of electoral regulation, vote-buying and other scandals were also reported during the campaign periods, while it has been declining from the earlier period (Chong, 2016; Chou, 2015; Lo and Chong, 2016; Yee, 1997; 2005; Yu, 2007; 2011)⁹.

For indirect election, the electoral colleges of professional or special interest groups, dubbed functional constituencies, select their representatives. These functional constituencies include business (工商及金融界 in Chinese, *dos sectores industrial, comercial e financeiro* in Portuguese), labor (勞工界 in Chinese, *do sector do trabalho* in Portuguese), professional (專業界 in Chinese, *do sector profissional* in

Portuguese), welfare and education (社會服務及教育界 in Chinese, *dos sectores dos serviços sociais e educacional* in Portuguese), and culture and sport (文化及體育界 in Chinese, *dos sectores cultural e desportivo* in Portuguese)¹⁰. While there is a set of formal rules and regulations for this indirect election, it has been conducted without competition that each electoral college nominates a single list of candidates to be selected by the 5th term (Chou, 2005; 2015; Yee, 1997, 2005; Yu, 2007)¹¹.

Party politics is the key feature in representative politics in other regimes holding competitive election, but it is not yet established in Macau. Instead of party organization, for every election, individual associations reflecting a specific or a broad set of societal interests form each electoral list, mostly dismantled after the election. In Macau's electoral history, including the most recent 6th term election held on September 17th, 2017, the largest number of seats earned from a single list is three for the case of the United Citizens Association of Macao (澳門民聯協進會) in the 5th legislative election in 2013. Except for this single outlier, only one or two representatives have been elected from each list in the direct election¹².

Given this small size of the legislators from the same list, a cohesive way of parliamentary behavior¹³, similar to partisan representation in other political regimes, does not take seriously in Macau politics. It is more individualist style of representation based upon the patron-client relationship between an interest group and its representative in the legislature that shapes Macau politics (Chong, 2016; Chou, 2005; Lo and Chong, 2016).

Most of the politicians in the legislature tend to have a pro-Beijing and pro-government preference. These pro-establishment legislators may fall into the three clusters, including business organizations, labor unions, and neighborhood organizations. As regards the opposition,

politicians with the liberal democratic ideas are conventionally discussed as a potential rivalry, but they were not successful in the 5th term election with only two directly elected representatives. In addition, some legislators associated with casino interest groups do not share a common preference with pro-establishment legislators and try to keep their business interest against the governmental strategy of economic diversification (Chong, 2016; Chou, 2005, 2015; Lo and Chong, 2016; Yee, 1997, 2005; Yu, 2007; Yu and Chin, 2012).

3. Related Literature

As Carey (2012, ix) best summarizes, legislative decisions are about roll call votes that collectively determine either the proposed agenda to be passed or rejected. Collectively, roll call voting is the final stage of legislative policy-making. Individually, this position-taking activity provides a tremendous amount of useful information of legislative representation. In the studies of the American Congress, roll call voting analysis has a long and rich history for assessing the status of representative government. With the pioneering work of Miller and Stokes (1963), a voluminous literature has been generated on the accountability of representative roll call voting (e.g., Achen, 1978; Bartels, 1991; Broockman, 2016; Clinton 2006). This research program concerns how voter preferences are reflected in legislative voting. In this literature, constituency control is the key component in democratic politics, and this normative idea should be realized in legislative politics in the form of the correspondence between voters' policy preferences and their representatives' decision-making in roll call voting.

In the last two decades, inspired by this literature of legislative representation in the United States, a substantial amount of research on comparative legislatures has been concerned with roll call voting

behavior (e.g., Carey, 2012; Morgenstern, 2004; Sieberer, 2006). As theories of representation based on American politics are developed within its unique institutional context, the students of comparative legislative behavior take care of different institutions, such as regime type, party systems, and electoral rules (Gamm and Huber, 2002). These extended studies of roll call voting basically theorize the two models of legislative representation that are shaped by varying political institutions (Carey, 2012; Carey and Shugart, 1993). One is party-dominated representation, in which individual legislators follow party line in their roll call voting to represent collective party policies. The other model is defined as individual-predominant representation, where intra-party disagreement of voting is frequently observed, as each legislator needs to build his or her own personal reputation. In this literature, the pattern of representation is driven by different amount of institutional incentives for legislators to seek party label or personal reputation.

The recent methodological advances in roll call voting shed new light on analyzing legislative representation, in particular ideal point estimation and social network analysis (Armstrong *et al.*, 2014; Jackman, 2009; Poole, 2005; Ward *et al.*, 2011). One of the key findings from this application of the new statistical methods is low-dimensionality in the legislature. For example, American politics has been featured by mostly a single dimensional left-right ideology in Congress and Senate (Poole and Rosenthal, 1997, 2011). Regardless of many complexities of political representation and institutional varieties, it is consistently observed that most of the variation in roll call voting patterns can be summarized by one or at best two factors around the world from Western democracies to Easter European countries and to Asian and Latin American polities (Coman, 2017; Poole and Rosenthal, 2011: 295). Social network analysis also provides a useful tool for measuring political power and influence, hitherto exceedingly difficult

to quantify, based upon the concept of centrality that those legislators who are more central have the greater influence on other politicians' legislative decision-making (Dal Maso *et al.*, 2014; Fowler, 2006; Ringe and Wilson, 2016).

Until now, the discussed literature is mostly based on democratic countries where the legislature is an active policy-making body of representation. Least arguably, Macau is not a political regime that falls under this category of democracy. However, the above literature review is necessary, as the recent studies have successfully extended the literature of democratic representation into authoritarian politics in similarity to Macau. These studies first find that authoritarian leadership may dislike the existence of the legislature but allows it with a considerable amount of policy-making powers, in order to signal regime strength, rent distribution, and co-optation with notable individuals and potential oppositional forces (e.g. Boix and Svolik, 2013; Gandhi, 2008; Gandhi and Przeworski, 2007; Gandhi and Lust-Okar, 2009; Magaloni, 2008; Magaloni and Kricheli, 2010; Lust-Okar, 2005; Svolik 2012).

Moreover, a growing body of studies find that competitive authoritarian legislative institutions may achieve meaningful representation. Treux (2014, 2016) finds that policy proposals made by the members of the National People's Congress in China are matched with nominal Chinese residents. Several studies (e.g. Manion 2016; Kamo and Takeuchi 2013; Cho, 2006) present that local people's congress delegates in China describe themselves as representatives of their geographical area and work for the interests and demands from the region. Malesky and Schuler (2010) analyze that delegates in Vietnam's National Assembly face different institutional incentives based on their electoral origins and their parliamentary behavior is largely shaped by these institutional settings.

While legislative studies on Macau are rare, and virtually non-existent in English, literature on the Legislative Council of Hong Kong has recently emerged (Gu, 2015; Jang, 2016, 2018, forthcoming; Tam, 2017; Wang and Peng, 2016). These studies share a common ground of institutional influence on individual legislators with the above studies of parliamentary representation in democratic countries as well as authoritarian regimes and present empirical findings of how legislative behavior is affected by institutional factors, such as democratic transition, party influence, and type of (s)election, i.e., direct election vs. indirect election and appointment.

4. Roll Call Voting Analysis

This section provides an empirical analysis of the roll call voting record in the 5th term from 2013 through 2017. Since the 5th term, the National Assembly of Macau has publicly released the official roll call voting records (全體會議議決 in Chinese, *Deliberações do Plenário* in Portuguese)¹⁴. For data collection, I accessed the official website and downloaded all pdf files of roll call voting and manually recorded each politician's activity for each bill.

4.1. Data Description

The total number of roll call voting items is 82 and the total number of the legislators served in the 5th term is 33. And so, the data set format for this section is a matrix with 33 rows of each legislator and 82 columns representing each agenda of roll call voting (2,706 cells of activities). In each cell of this matrix, I coded each legislator's decision on each bill. There are five types of actions, including *Yea*, *Nay*, *Abstention*, *Present*, and *Not Available*. Legislators may reveal their preference over the agenda by voting for (贊成 in Chinese, *A Favor* in

Portuguese, coded as *Yea*) or against (反對 in Chinese, *Contra* in Portuguese, coded as *Nay*) the agenda. They can also choose not to express their position officially (棄權 in Chinese, *Abstenções* in Portuguese, coded as *Abstention*) or just keep a seat without any activities, which is recorded as *Present*. If not applied to any of these categories, his or her record of the bill remains blank (*Not Available*).

Figure 1 Distribution of Roll Call Voting Decision

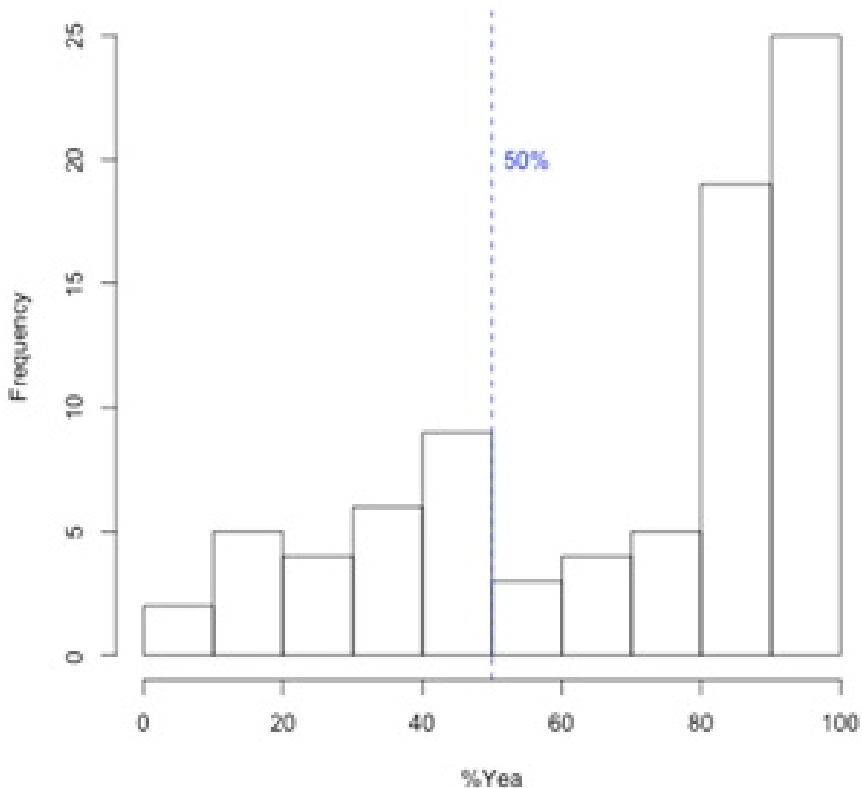


Table 2 The Distribution of Roll Call Voting Results

	Total	Some Nays	Some <i>Abstention/ Present</i>	Some Absence	Full Participation
Passed	67	21 (31.34%)	7 (10.4%)	29 (43.28%)	6 (9%)
Rejected	15				

Source: Author's count.

Figure 1 and Table 2 present the distribution of roll call voting results. Four distinct features are reported in Figure 1 and Table 2. First, most of the roll call voting results yield the agenda to be passed. Among the total of the 82 bills, 67 were passed (about 82%), while 15 (about 18%) were rejected. Second, many of the collective decisions were done lopsidedly to be recognized clearly which side won (the leftist and the rightist parts of Figure 1). Third, some of the voting were done competitively. Specifically, 10 collective decisions were made by one or two votes in the winning side (8 for passed and 2 for rejected). Last but not least, there is a considerable amount of variation within these passed bills. There are 21 out of 67 resolutions (31.34%) with some legislators voted against the bill. The other 46 cases were passed unanimously, but there are still subtle differences; 7 out of 67 bills (10.4%) were recorded with some actions of abstention or being present but not voting, 29 resolutions (43.28%) were passed with some members not participating in the voting, and only 6 cases (9%) can be considered for all legislators fully supporting the agenda¹⁵. Regarding the rejected bills, there is no unanimous decision.

Legislators were actively engaged in roll call voting decision in the 5th term legislature. The median of legislators' participation rate, limited to *Yea* or *Nay* choice, is 90.25% (74 out of 82 votes). The first and third quarters of participation rate is 79.27% and 93.9%, meaning that the half of legislators showed their preference on the bill, eight or nine of ten times. The lowest participation rate is 63.41% (52 out of 82 votes), except for the Speaker Ho Iat Seng (賀一誠) who only cast his vote in two bills for tie-breaking to be passed.

The other options, if a legislator does not want to take a position on a bill, are *Abstention* or *Present*. It accounts for about 3 percent of the total roll call voting action. In the 5th term, there have been 72 abstentions out of all the 2,706 decisions (2.7%). In the case of *Present*, a legislator is only seated to be counted to meet the quorum, the minimum number of members of the legislature to make the voting result valid, without any actions, including *Yea*, *Nay*, or even *Abstention*. 7 cases were reported, which is about 0.3% of all the roll call voting behavior. At the bill level, there is also a meaningful variance. In the case of 49 out of 82 agenda (59.76%), there is no record of *Abstention* or *Present*. Another 21 bills (25.6%) are recorded with one or two cases of *Abstention* and *Present*. The maximum number of *Abstention* and *Present* on a single agenda is 8, which means about 24% of the legislators does not show their position on the given bill. At the legislator level, 9 out of the 33 representatives (27.27%) have no record, while 11 legislators took these two types of choice one or two times (33.33%). The maximum number of *Abstention* and *Present* that an individual legislator chose in the 5th term is 8, accounting for the 9.76% of this politician's roll call voting decision.

In the case that a legislator was not categorized in any of the four, it is coded as *Not Available*. In the 5th term, 333 cases out of all the 2,706

decisions (12.3%) fall into this category. At the bill level, the median of *Not Available* coding is 4, and its first and third quarters are 3 and 5, respectively. All the votes include at least a single *Not Available* coded choice and its maximum count is 8. At the legislator level, its median is 5, and its first and third quarters are 2 and 13, respectively. Only one legislator (李靜儀, Lei Cheng I) has no record of this case, as well as just one *Abstention* record, meaning that she is the most active to show her preference on the given roll call voting choice. Except for the Speaker, who usually falls under this category, the maximum number of this action is 26 (梁安琪, Leong On Kei), meaning that he tends to be away from participation in roll call voting. Figure 2 and Figure 3 provide an overview of the distribution of *Yea/Nay*, *Abstention/Present*, and *Not Available* choices at the bill level as well as at the legislator level. In these two stacked bar plots, each box indicates individual bill and legislator, respectively. In each bar, the three colors, including gray, blue, and red, are used to visualize its proportion for each of the bill or legislator.

Last but not least, I checked a potential relation among its frequency of the choice set. There is no clear relationship between the frequency of *Yea* or *Nay* choice vs. one of *Abstention* or *Present* choice. The correlation of the two at the individual legislator's level is only -0.03. In contrast, a strong negative correlation (-0.987) is found between the frequency of *Yea* or *Nay* choice vs. one of *Not Available* cases.

Until now, this section presents many numbers in detail to describe the roll call voting data. It is noted, from this data description, that a meaningful variation exists across the individual legislators in their roll call voting decision. From the next subsection, I will take an extensive quantitative data analysis to find a pattern of roll call voting, if it exists.

Figure 2 Overall Distribution of the Choice at the Bill Level

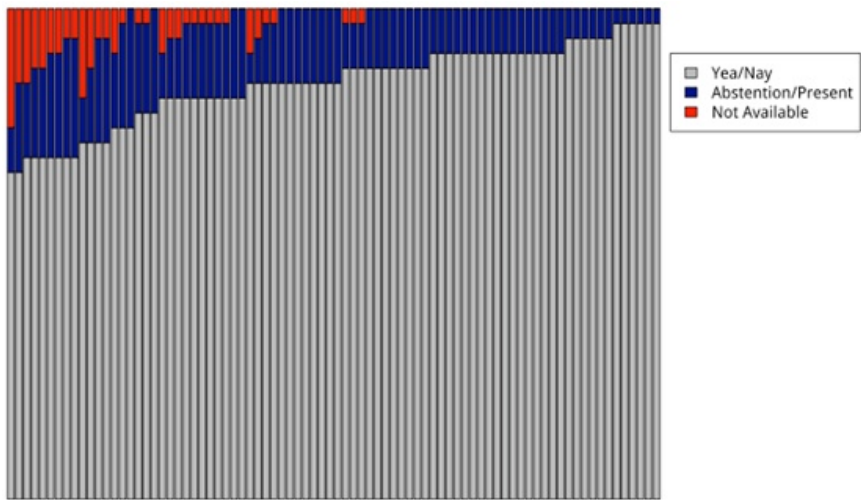


Figure 3 Overall Distribution of the Choice at the Legislator Level

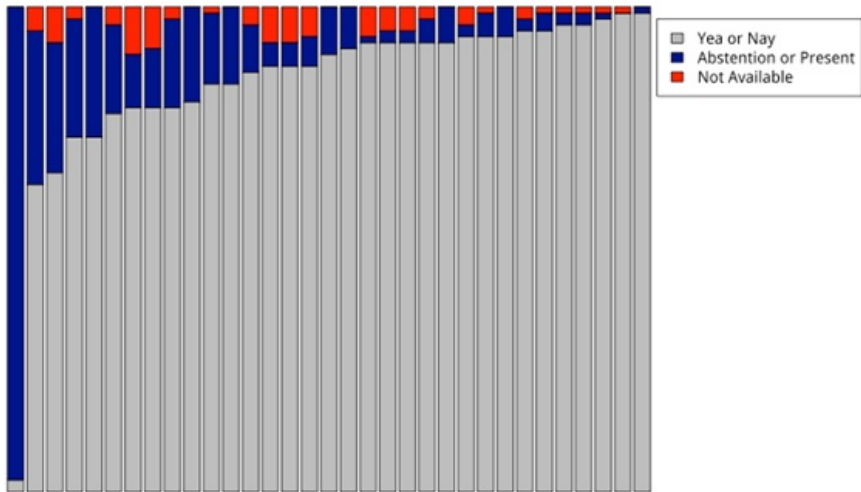
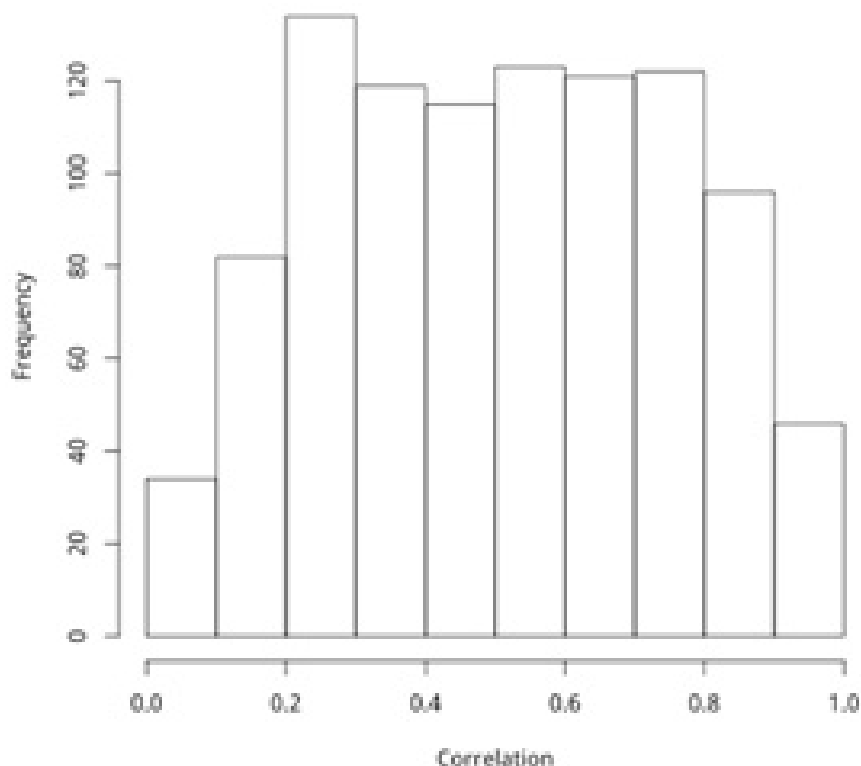


Figure 4 Correlation of Any Combinations of the Two Legislators



4.2. Correlation Matrix and Network Analysis

As an explanatory data analysis, for simplicity, I limit the set of choices, including *Yea* and *Nay* and excluding *Abstention*, *Present*, and *Not Available*. I also exclude the Speaker, as he only took *Yea* or *Nay* choice two times during the 5th term Legislative Assembly as well as the 36 unanimous votes. Then, I converted the existing matrix of 32 rows of each legislator and 36 columns representing each agenda of roll call

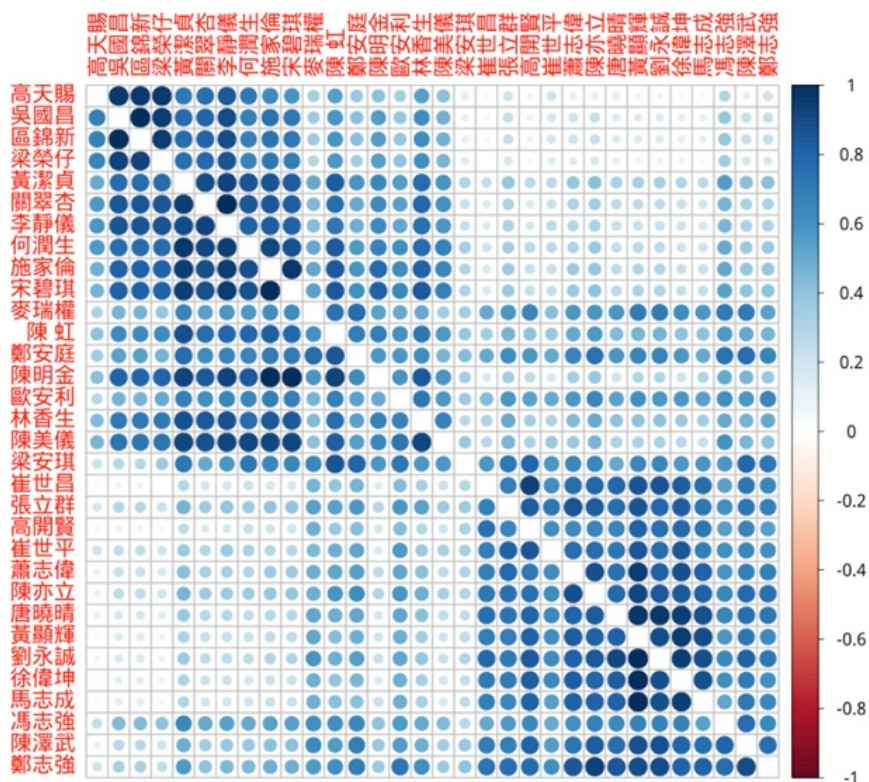
voting into a correlation matrix of 32 rows and columns of each legislator.

This matrix conversion is made in order to check if there is a meaningful correlational pattern among the legislators. Each cell in this matrix represents a degree of the same decisions of the two legislators in the 5th term Legislative Assembly. It ranges from zero to one, meaning perfect disagreement and agreement between the two, respectively. For this conversion, I first counted the same decision either *Yea* or *Nay* of the agenda made by any combinations of the legislators and then divided this number by the total number of an individual legislator's voting record of *Yea* or *Nay*.

Figure 4 presents the distribution of all the 992 correlations among 32 legislators. It is not skewed on the left or right side. From 20 through 80 percentage area, it is close to being distributed evenly. It also shows that the extremely high agreement and disagreement are rare phenomena. In other words, legislators are different in their roll call voting choice from other politicians.

To better understand this correlation matrix, I also prepare a visualized version of the matrix as shown in Figure 5. For this graphical display of a correlation matrix, I used the *corrplot* package of R 3.4.1 program with hierarchical clustering option for matrix reordering. In this visualized matrix, a deeper blue circle means a higher correlation of the two legislators (one for the row and the other for the column). A lighter blue circle indicates a less relation between the two and the white cell means no agreement of the two. The diagonal matrix is filled as white as a correlation of the identical legislator does not have any meaning. From this visualization, it can be found that there are two or more than two major groups of voting. And the two clusters, one roughly in the upper left side of the matrix and the other in the lower right side, tend to take a position differently in roll call voting. In other words, if there is a

Figure 5 Visualization of the Correlation Matrix



significant disagreement in roll call voting decision, it will be these legislators in these two sectors who are conflicting with each other. However, these two clusters are not mutually exclusive and there are also many close connections of small size.

Social network analysis is a useful tool for discovering the nature of this correlation of roll call voting. It provides a visualized pattern of

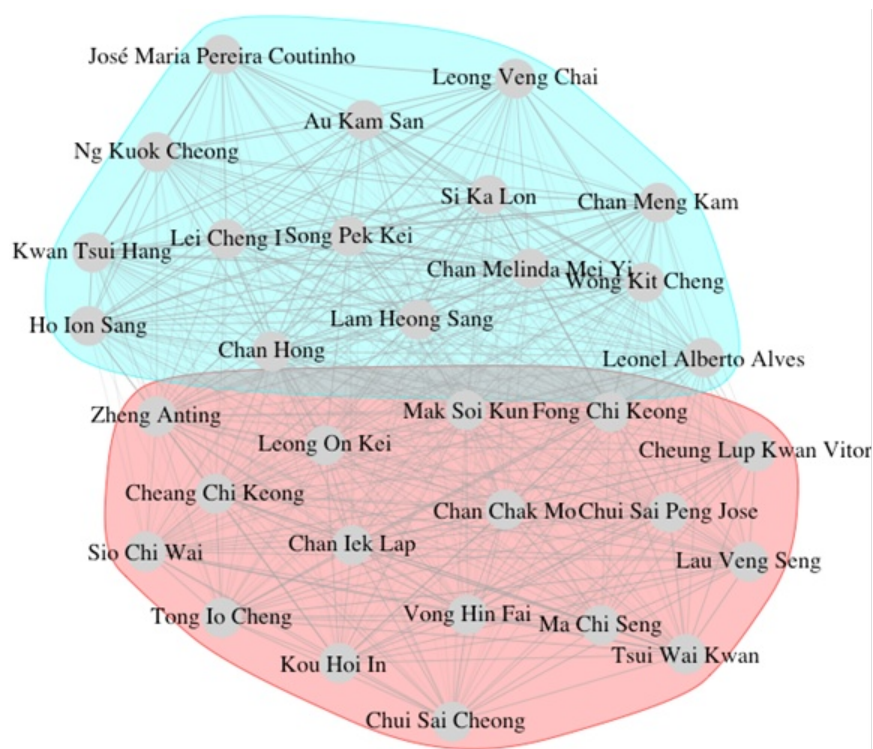
connections as well as useful measures to understand where each legislator is located in the network.

Figure 6 shows a network visualization of roll call voting by using the igraph package in R program. It uses the correlation matrix described above as an input source and draws a network layout based on the pattern of connections within the input matrix. In particular, I used the Fruchterman-Reingold layout algorithms, as this is one of the most widely used applications in this type of data. The gray circle or vertex represents each legislator's relational position in this network. The gray line or node shows the connection between the two legislators. A thicker or thinner line means a stronger or weaker relationship between the two, respectively. In addition to each legislator's position and his/her connection to the other legislators, Figure 6 also provides an information that there are two groups in this network, which are in the red- and blue-colored regions. This grouping is made by the community detection algorithm of the igraph package in R program.

Simply eyeballing Figure 6 provides a basic idea of the shape of network and legislators' relative position in the network. For example, Lam Heong Sang (林香生), Chan Hong (陳虹), and Mak Soi Kun (麥瑞權) are the most connected legislators in the 5th term Legislative Assembly. In contrast, José Maria Pereira Coutinho (高天賜), Leong Veng Chai (梁榮仔) and Chui Sai Cheong (崔世昌) are the top three isolated politicians in this network. Social network analysis provides further detailed information by measuring the relative importance of the actor in the network, including strength, closeness, and eigenvector centrality scores¹⁶. Figure 7 shows the distribution of the three measures of network characteristics.

The strength centrality is defined as the sum of weighted connections for each node and the main idea of this measure is that more connected actors are more important in the network. In the case of the

Figure 6 Network Visualization of Roll Call Voting



roll call voting network, it is simply measured by the sum of each row of the prepared correlation matrix. The other quantitative characteristics to examine each actor's power in the network is to check how close each node is located to every other politician in the network. This closeness index is measured by an inverse of the sum of distance for a node from all other nodes. Thus, a greater score means that the politician is more central and prominent in the network. Lastly, eigenvector centrality score corresponds to the values of the first eigenvector of the network.

The logic behind this eigencentrality is to assign more weight on a node when it is linked to by other important actors of the network. While these three scores measure the different network features, the three are highly correlated as Table 3 shows.

Figure 7 Distribution of Centrality Scores of the Network

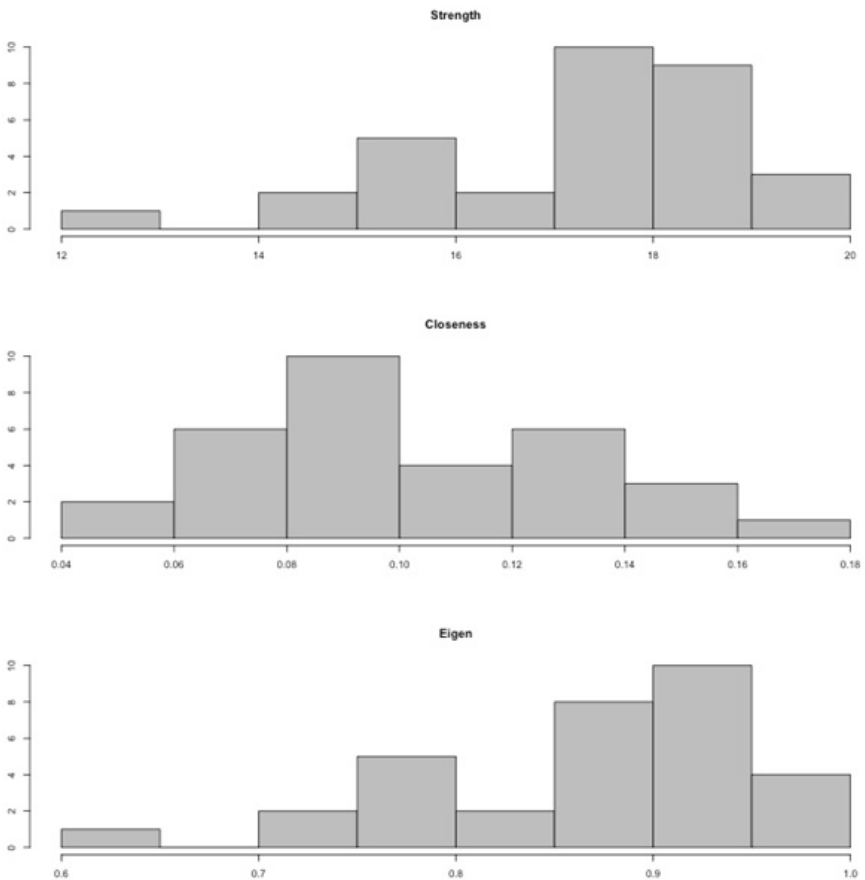


Table 3 Correlation among the Three Centrality Scores

	Strength	Closeness	Eigen
Strength	1		
Closeness	.783	1	
Eigen	.999	.787	1

Source: Author's count.

4.3. Dimensional Analysis and Ideal Point Estimation

Another way of capturing roll call voting behavior is to apply the spatial model of politics to the existing roll call voting matrix data with 33 rows of each legislator and 82 columns representing each agenda of roll call voting. In this section, I employ the three spatial modelling applications, including Optimal Classification, W-NOMINATE, and IDEAL in R Program. As these models are made for the binary outcome, only *Yea* and *Nay* choices are considered in their scaling procedure. There are several technical differences among these three models, but all the three scaling procedures provide an estimation of ideal locations of individual politicians along a basic, low-dimensional Euclidean space.

Table 4 presents to what extent the single dimension estimated by three applications of spatial model explain roll call voting behavior. It shows that a single factor is sufficient to draw a map of politics in the 5th term Legislative Assembly. In the Optimal Classification model, 98.51% of *Yea* and *Nay* choices are correctly classified in a single dimension. The one-dimensional W-NOMINATE model also has a high classification rate (98.86%). The other two diagnosis statistics of the W-NOMINATE model, including Aggregate Proportional Reduction

Table 4 Dimensionality of Spatial Models of Roll Call Voting

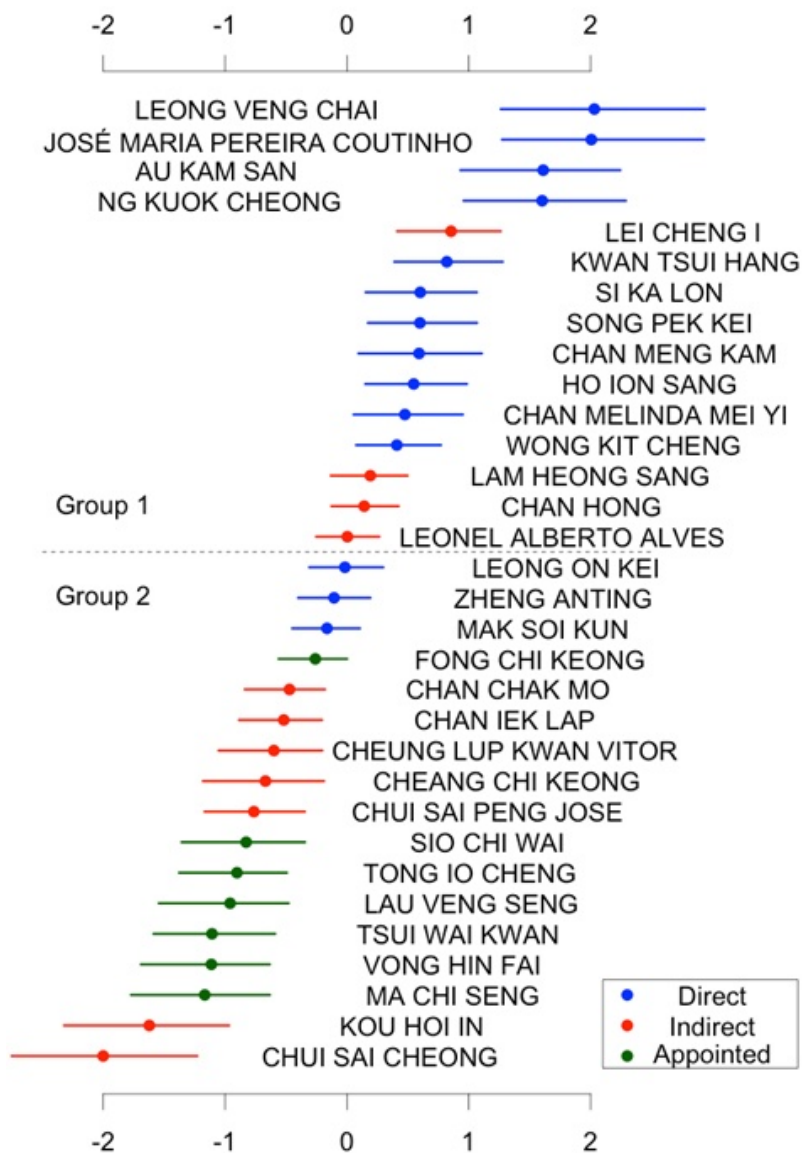
Optimal Classification		W-NOMINATE		IDEAL
Correct Classification	Correct Classification	Aggregate Proportional Reduction in Error	Geometric Mean Probability	Discrimination Rate
98.51%	98.86%	.861	.892	97.22%

Source: Author's count.

in Error (.861) and Geometric Mean Probability (.892), further support that one simplified variable from all the roll call voting decisions is enough. Lastly, the one-dimensional Bayesian ideal point estimation model, IDEAL, presents a high discrimination rate (97.22%) that confirms the uni-dimensionality of legislative politics in Macau.

Figure 8 presents the result of ideal point estimation with supplementary information. In this plot, the estimated location of each individual legislator with 95% confidence interval is represented as a dot with a bar. Blue, red, and green colors are used for indicating their types of (s)elections, i.e. direct election, indirect election in functional constituencies, and executive appointment, respectively. For an effective visualization, I sorted the ideal points to place the pro-establishment politicians to the left side of the plot. In addition, I draw a vertical line between the two legislators, Leonel Alberto Alves (歐安利) and Leong On Kei (梁安琪) to distinguish the two groups measured from the social network analysis in the previous section.

Figure 8 One-dimensional Ideal Point Estimation



Several interesting findings are noted from this Figure 8. First, the placement of the legislators in this plot represents a real politics in Macau. The two legislators in the leftist side hold the leadership positions in the legislature (秘書 in Chinese and *Secretário* in Portuguese). Then, most of the appointed members are located close to these two leaders. The four pro-democracy legislators, including Leong Veng Chai (梁榮仔), Jose Maria Pereira Coutinho (高天賜), Au Kam San (區錦新), and Ng Kuok Cheong (吳國昌), are located at the opposite side. That is the government-opposition structure in Macau politics by this estimated main dimension.

Second, the type of election variable is generally associated with the positioning of the legislators. In particular, the directly elected legislators are located in the opposition side of the main dimension. The two non-democratic ways of recruiting members of the Legislative Assembly of Macau are designed to be supportive for the executive branch, and Figure 8 demonstrates that those legislators actually represent pro-Beijing and pro-establishment policy in the form of roll call voting in the legislature. In contrast, legislators elected in a democratic way with a universal suffrage face a broad set of voters with various preferences, demands, and ideas of politics that are sometimes against the executive branch's policy direction. These legislators elected in a geographical constituency need to care for their voters, and this electoral connection pushes them to take a position as an opposition in their roll call voting behavior.

There are also some unique exceptions for this association of the type of election variable and the ideal point location. For example, Lei Cheng I (李靜儀) is from a functional constituency, but she is placed in the middle of the cluster of directly elected legislators. This positioning reflects the characteristics of the functional constituency of labor section

that she is selected (勞工界選舉組別 in Chinese, *Colégio eleitoral do sector do trabalho* in Portuguese). The other exceptional one is Fong Chi Keong (馮志強), who is an appointed legislator, but isolated from all the other appointed members. This is not so much a surprising result, as he is well known for his critical view toward the executive branch within his pro-Beijing perspective (Yee, 1997). This Macau's leading real estate tycoon is also closely related with *Tongxianghui* (同鄉會, Chinese native-place association) as well as the gaming industry (Chong, 2016; Lo and Chong, 2016).

Third, the two groups measured by a hierarchical clustering algorithm of social network analysis are perfectly matched with this ideal point estimation result. That is, all the legislators who are grouped in the upper side in Figure 6 with blue color have positive values of ideal points to be located in the right side in Figure 8. The other politicians grouped in the lower side in Figure 6 with red color have negative values of ideal points and they are placed in the left side in Figure 8.

Fourth, the two interests of hometown association and gambling are the main forces to drive for legislators to push more moderate positions. There are 6 out of the total 32 legislators who are notably related to the Casino business (Lo and Chong, 2016). Three, Chan Meng Kam (陳明金), Angela Leong On Kei (梁安琪) and Melinda Chan Mei Yi (陳美儀), are directly elected in a geographical constituency. The other three, Chan Chak Mo (陳澤武), Victor Cheng Lup Kwan (張立群), and Fong Chi Keong (馮志強, also mentioned above), are from functional constituencies. Chan Meng Kam (陳明金) as well as the two other directly elected legislators, Song Pek Kei (宋碧琪) and Si Ka Lon (施家倫) of the United Citizens Association of Macao (澳門民聯協進會), are supported by the hometown association, Fujian *Tongxianghui* (福建同鄉會), and they are closely located in the middle of Figure 6. Mak Soi Kun (麥瑞權) and Zheng Anting (鄭安庭) are the two other

directly elected law-makers who are identified with the Jiangmen Tongxianghui (江門同鄉會).

Table 5 Correlation among the Three Spatial Models

	OC	W-NOMINATE	IDEAL
OC	1		
W-NOMINATE	.97	1	
IDEAL	.97	.96	1

Source: Author’s count.

The above description is based on the Bayesian one-dimensional ideal point estimation, but as Table 5 shows, the correlation of the three outputs from different estimation techniques are very high. It is also noted that the range of the 95% confidence interval is relatively wide due to the small sample size of roll call voting. This makes it hard to clearly differentiate each legislator’s position from each other, but the overall distribution of the legislators’ ideal points still sufficiently demonstrates how representatives are aligned in the main government-opposition dimension of Macau politics.

4.4. Regression Models

In this final sub-section of roll call voting analysis, I take a series of regression analysis on participation in roll call voting, network centrality, and ideal point estimation. As regards participation, I consider the degree of preference revealing over the roll call agenda as well as the degree of abstention. The two dependent variables are prepared as the

percentage of *Yea* or *Nay* choices and *Abstention* over the total number of roll call voting, respectively. Since the two outcome variables are proportions ranging only from zero to one, I use a beta regression model to fit the data.

Three independent variables are considered. First, Next Election variable indicates if he or she runs for the 6th term election (coded 1 if applied and 0 for otherwise). The two dummy variables of Type of (S)Election allow checking if there are some differences among directly elected legislators from legislators in functional constituencies and appointed members. Opposition Group variable is from the social network analysis to capture the government-opposition dimension of politics.

Table 6 presents the result of the two beta regression models on legislators' participation rate. First, legislators who ran for the next 6th term election are more likely to participate in roll call voting to show their preference on the agenda. They tend not to take an abstention in comparison with members of the legislature who do not have an ambition for continuing their career in the next 6th term Legislative Assembly. These two findings generally support the idea that electoral motivation leads to politicians being engaged in parliamentary activities.

Second, Type of (S)Election variable also matters. The members appointed by the Chief Executive are more active to cast their votes in *Yea* or *Nay* and less likely to choose *Abstention* than the legislators who are elected through a competition in a geographical constituency. For the case of the legislators in functional constituencies, they are statistically indifferent in *Yea/Nay* choice, but less likely to choose *Abstention* than the directly elected members. This result may be related to the fact that the appointed members and the functional constituency legislators serve a narrow group with a clear preference. In contrast, politicians face various voters with sometimes conflicting demands and competing

Table 6 Regression Models on Participation

	Dependent variable	
	Yea/Nay	Abstention
	(1)	(2)
Next Election	0.624 [*] (0.346)	-0.755 [*] (0.441)
Executive Appointment	1.291 ^{**} (0.537)	-1.341 ^{**} (0.661)
Indirect Election	0.387 (0.314)	-0.899 ^{**} (0.398)
Opposition Group	0.721 ^{**} (0.319)	-0.957 ^{**} (0.400)
Constant	0.101 (0.722)	0.160 (0.898)
Observations	32	32
R ²	0.199	0.221
Log Likelihood	40.100	51.391
Note:	[*] p<0.1; ^{**} p<0.05; ^{***} p<0.01	

preferences. This different nature of accountability can be an easy answer for the statistical result.

Lastly, the legislators of the opposition group tend to take more clear positions and less likely to choose not to show their preference than the governing group members. This is also understandable, as an opposition group is required to deliver a clear message of objection for the established association of the law-makers.

The second regression models are considered for analyzing the network centrality at the individual legislator's level. Three outcome variables include the Closeness, the Strength, and Eigen-centrality, and a larger value of these variables means that the legislator is located much centrally in the roll call voting network. In addition to the Type of (S)Election variable, I employ the three explanatory variables of social affiliations, described in the previous sub-section: Gambling Industry, Democracy, and *Tongxianghui*. For simplicity, the linear models are used for this analysis.

The results in Table 7 present that only two factors are related to explaining the variance of the three centrality measures. That is, the appointed legislators do not enjoy a power of centrality in comparison with the directly elected representatives. There is no difference between the legislators of direct and indirect election. In the perspective of social network analysis, these politicians appointed by the Chief Executive do not play a pivotal role in the legislature. More important groups of politicians from the perspective of social network analysis are the other two types of legislators.

Second, the pro-democracy legislators also do not have a central role in the roll call voting network. That is, despite the emergence of opposition group in the legislature, as shown in the sub-section of social network analysis, pro-democracy opposition is relatively weak and not a core element of the non-establishment group (Yu and Chin, 2012).

Table 7 Regression Models on Network Centrality

	Dependent variable		
	Closeness	Strength	Eigen
	(1)	(2)	(3)
Executive Appointment	-3.026** (1.399)	-1.276* (0.690)	-0.067* (0.034)
Indirect Election	-0.185 (1.355)	-0.609 (0.669)	-0.033 (0.033)
Gambling Industry	0.243 (1.230)	0.087 (0.607)	0.007 (0.030)
Democracy	-4.220** (1.737)	-3.977*** (0.857)	-0.204*** (0.042)
<i>Tongxianghui</i>	2.128 (1.439)	0.026 (0.710)	0.001 (0.035)
Constant	11.574*** (1.138)	18.235*** (0.561)	0.920*** (0.028)
Observations	32	32	32
R ²	0.420	0.527	0.546
Adjusted R ²	0.309	0.436	0.458
Residual Std. Error (df = 26)	2.625	1.296	0.064
F Statistic (df = 5; 26)	3.769**	5.783***	6.242***
Note:	*p<0.1; **p<0.05; ***p<0.01		

Table 8 Regression Model on One-dimensional Ideal Points

Dependent variable	
	Ideal Point
Executive Appointment	-1.215*** (0.301)
Indirect Election	-0.789** (0.291)
Gambling Industry	0.095 (0.265)
Democracy	1.536*** (0.374)
<i>Tongxianghui</i>	0.142 (0.309)
Constant	0.276 (0.245)
Observations	32
R ²	0.736
Adjusted R ²	0.685
Residual Std. Error	0.565 (df = 26)
F Statistic	14.484*** (df = 5; 26)
Note:	*p<0.1; **p<0.05; ***p<0.01

The last regression model is considered to confirm the last subsection's discussion of the ideal point distribution. The extensively discussed one-dimensional ideal points are considered as the outcome variable. As shown in Figure 8, larger positive and negative values mean more oppositional and pro-governmental preferences, respectively. The same explanatory variables are used with the previous regression models on the network centrality. Table 8 presents the result of the linear model.

It basically reconfirms the previous discussion by showing that the directly elected legislators are clearly differentiated from the other types of politicians. In addition, the variable for the pro-democracy legislators has a strong explanatory power on the distribution of the ideal points. However, the estimated coefficients of the Gambling Industry and the *Tongxianghui* variables are reported as statistically insignificant.

5. Concluding Remarks and Future Directions

The overarching argument of this paper is that a considerable amount of policy-making and representation exist in the Legislative Assembly of Macau, at least in the 5th term legislature from 2013 through 2017. In order to support this argument, I take a comprehensive data analysis of roll call voting and find a meaningful variance among the legislators of their decision-making on whether a proposed bill to be passed or not. Subsequently, it presents that the two groups, not a single dominant camp of pro-Beijing legislators, shape legislative politics in Macau. It further shows a uni-dimensionality of parliamentary politics in which most of the legislators from the functional constituencies and appointed members are located in the government-side, while the representatives from the direct election are aligned in the opposition-side.

In addition to enhance scholarly understanding of Macau politics, this paper has two further implications. The first is about the

“One country, two systems” principle and its applications in Hong Kong and Macau (Lo, 1995, 2007). In particular, the two legislative bodies, the Legislative Council of Hong Kong and the Legislative Assembly of Macau, have used a similar way of mixed-member electoral systems that combine the directly elected legislators with the other type(s) of politicians, including functional constituency representation and executive appointment. Thus, these two formal institutions provide a unique opportunity to compare the impacts of different types of institutional incentives holding many other external factors constant (Moser and Scheiner, 2012). Unlike Hong Kong, where a direct election is held in the five geographical constituencies, Macau employs a single nationwide district, and this difference provides a unique laboratory to analyze how democratic value is realized under these two different democratic rules in comparison with other legislators of functional constituencies and appointed members.

In addition, this paper fills the gap in the literature of comparative legislatures in Greater China. There are varieties of parliamentary representation at the central and local levels in contemporary Greater China, including Taiwan, Hong Kong, Macau, and arguably Singapore, as well as Mainland China. Except for Macau, the legislatures in the other parts of Greater China have been examined relatively well and those who are interested in this topic can find some reference and research articles written in English. This limited empirical investigation is now covered, which means a comprehensive comparative study of political representation in Greater China is feasible.

This paper is at an early stage of development to reveal the nature of policy-making and representation in Macau in a quantitative manner. Two things are particularly noted. First, an empirical analysis of other types of legislative activities is necessary to capture the full picture of politics in the Legislative Assembly of Macau. While roll call voting

analysis is the bread and butter of legislative studies, this is still one of the many activities for an individual legislator to realize what he or she wants to achieve in politics. Second, a comparative study of Hong Kong and Macau is also required to build a systematic knowledge on theory and practice of the geographic and functional constituencies as well as the “One Country, Two Systems”. These two directions as well as other potential ways of developing this research program on Macau politics would be promising, but I also believe that this paper by itself has already enhanced the scholarly understanding of parliamentary representation in Macau.

Notes

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1. It is discussed that Macau's presence as a non-central government for the cross-border activities can be helpful for advocating the shared interests of Macau and Mainland, and eventually provides a rationale of the “One country, two systems” policy (Henders, 2001).

2. This central-local relation does fall under neither a unitary system nor federation, but a hybrid of the two, like various autonomous models around the world (Benedikter, 2009).
3. Unlike the Western counterparts of separation of powers systems, it is emphasized that Macau takes an executive-led political system, or politico-administrative state, that assigns extensive powers to the Chief Executive at the core of the government without sufficient checks and balances from other institutions (Lo, 2009; Yee, 2005).
4. According to Annex I, Method for the Selection of the Chief Executive of the Macau Special Administrative Region, the Election Committee is composed of representatives of the industrial, commercial and financial sectors (100 members), cultural and educational sectors and other professions (80 members), labor, social services, religious and other sectors (80 members), and governmental bureau, including the Legislative Assembly, several municipal organs, Macau deputies to the National People's Congress, and Macau representatives of the Chinese People's Political Consultative Conference (40 members).
5. The former two, i.e. bill introduction and parliamentary question, are specified in the Basic Law, while the right of roll call voting in the floor is not. Instead, the Standing Orders (立法會議事規則 in Chinese, *Regimento da Assembleia Legislativa* in Portuguese) describes its process.
6. The Chief Executive may return a bill to the Legislative Assembly in the first time. If the original bill is passed again in the second time, the Chief Executive should decide either to sign the bill or to dissolve the legislature (Article 51, Chapter 3, Section IV).
7. Specifically, it uses the modified D'Hondt method: $V/(k-1)$, where V is the total number of votes that each list earns and k is the rank of the list.
8. In the district election for the 6th term, 25 groups ran for 14 seats (one withdrew). After two weeks of official campaign periods, the election was held on September 17, 2017.

9. For each election, see Yee (1997) for the 1st term election, Yee (2005) for the 2nd term election, Yu (2007) for the 3rd term election, Chong (2016) and Yu (2011) for the 4th term election, and Lo and Chong (2016) for the 5th term election.
10. Until the 4th term, there were the four electoral colleges. It became five since the 5th term, as the Welfare, Culture, Education, and Sports constituency was split into two.
11. For the professional constituency in the 6th term, there was a competition, as two different lists were submitted for the election held on September 17th, 2017. The Macau Union of Medical Professional Interests won one seat, while the incumbent list of the Macau Union of Professional Interests got two seats.
12. In the legislative election for the 5th term, the following four list groups gained two seats: the Macau-Guangdong Union, the Union for Promoting Progress, the New Macau Association, and New Hope Macau.
13. Outside the legislature, specifically in terms of party organization (Key, 1964), some political groups in Macau, e.g. the United Citizens Association of Macao (澳門民聯協進會), have evolved to operate effectively in the electoral and governing processes with its activists and resources (Lo and Chong, 2016).
14. In the previous terms, roll call voting results could be seen directly if anyone visited the legislature when the decisions were made. News media occasionally reported some of the results with individual voting records, or an individual legislator sometimes explained their position of the bill to their constituents on his or her website, social media or printed leaflet. However, if one aims to take a comprehensive roll call voting records without any selective bias, the 5th term is the only available case in the history of Macau since the handover.
15. On these 6 bills, the Speaker did not participate in voting, but all the other legislators seated and showed their preference on these agenda.

16. The other two popular centrality scores, including degree centrality and betweenness, are excluded, as the two do not have a sufficient amount of variance among the legislators to report.

References

- Achen, C.H. (1978). Measuring representation. *American Journal of Political Science*, Vol. 22, No. 3, pp. 475-510.
- Armstrong, D.A., R. Bakker, R. Carroll, C. Hare, K.T. Poole and H. Rosenthal (2014). *Analyzing spatial models of choice and judgment with R*. Boca Raton, FL: CRC Press.
- Bartels, L.M. (1991). Constituency opinion and congressional policy making: The Reagan defense buildup. *American Political Science Review*, Vol. 85, No. 2, pp.457-474.
- Benedikter, T. (2009). *The world's modern autonomy systems: Concepts and experiences of regional territorial autonomy*. Bolzano: Institute for Minority Rights, EURAC Research.
- Boix, C. and M.W. Svolik (2013). The foundations of limited authoritarian government: Institutions, commitment, and power-sharing in dictatorships. *The Journal of Politics*, Vol. 75, No. 2, pp. 300-316.
- Broockman, D.E. (2016). Approaches to studying policy representation. *Legislative Studies Quarterly*, Vol. 41, No. 1, pp. 181-215.
- Carey, J.M. (2012). *Legislative voting and accountability*. New York: Cambridge University Press.
- Carey, J.M. and M.S. Shugart (1995). Incentives to cultivate a personal vote: A rank ordering of electoral formulas. *Electoral Studies*, Vol. 14, No. 4, pp. 417-439.
- Cho, Y.N. (2006). The politics of lawmaking in Chinese local people's congresses. *The China Quarterly*, Vol. 187, 592-609.

- Chong, E.K.M. (2016). Clientelism and political participation: Case study of the Chinese *tongxianghui* in Macao SAR elections. *Journal of Chinese Political Science*, Vol. 21, No. 3, pp. 371-392.
- Chou, B.K.P. (2005). Interest group politics in Macau after handover. *Journal of Contemporary China*, Vol. 14, No. 43, pp. 191-206.
- Chou, B. (2015). Politics and social organisations in Macao: A historical institutionalist analysis. *China: An International Journal*, Vol. 13, No. 1, pp. 22-42.
- Clinton, J.D. (2006). Representation in Congress: Constituents and roll calls in the 106th House. *The Journal of Politics*, Vol. 68, No. 2, pp. 397-409.
- Coman, E. (2017). Dimensions of political conflict in West and East: An application of vote scaling to 22 European parliaments. *Party Politics*, Vol. 23, No. 8, pp. 248-261.
- Dal Maso, C., G. Pompa, M. Puliga, G. Riotta and A. Chessa (2014). Voting behavior, coalitions and government strength through a complex network analysis. *PLoS ONE*, Vol. 9, No. 12, p. e116046.
- Fowler, J. (2006). Connecting the Congress: A Study of cosponsorship networks. *Political Analysis*, Vol. 14, No. 4, pp. 456-487.
- Gamm, G. and J. Huber (2002). Legislatures as political institutions: Beyond the contemporary Congress. In: I. Katznelson and H.V. Miller (eds), *Political science: State of the discipline*. New York: Norton, pp. 313-343.
- Gandhi, J. (2008). *Political institutions under dictatorship*. New York: Cambridge University Press.
- Gandhi, J. and A. Przeworski (2007). Authoritarian institutions and the survival of autocrats. *Comparative Political Studies*, Vol. 40, No. 11, pp. 1279-1301.
- Gandhi, J. and E. Lust-Okar (2009). Elections under authoritarianism. *Annual Review of Political Science*, Vol. 12, pp. 403-422.
- Gu Yu (2015). *Hong Kong's legislature under China's sovereignty 1998-2013*. Amsterdam: Hotei Publishing / Leiden: Brill Nijhoff.

- Henders, Susan J. (2001). So what if it's not a gamble? Post-Westphalian politics in Macau. *Pacific Affairs*, Vol. 74, No. 3, pp. 342-360.
- Jackman, S. (2009). *Bayesian analysis for the social sciences* (Vol. 846). New York, NY: Wiley.
- Jang, J. (2016). Competing political visions in the Legislative Council of Hong Kong. *Journal of Chinese Political Science*, Vol. 21, No. 1, pp. 89-102.
- Jang, J. (2018). Beyond the China factor: Policy representation on economic issues in the Legislative Council of Hong Kong (1998-2012). *Journal of Global and Area Studies*, Vol. 2, No. 1, pp. 65-78.
- Jang, J. (forthcoming). Comparing territorial and functional constituency representations in Hong Kong. *Asian Journal of Comparative Politics*.
- Kamo, T. and H. Takeuchi (2013). Representation and local people's congresses in China: A case study of the Yangzhou Municipal Peoples Congress. *Journal of Chinese Political Science*, Vol. 18, No. 1, pp. 41-60.
- Key, V.O. (1964). *Parties, politics and pressure groups*. New York: Crowell.
- Lo, S.H. (1995). Comparative political systems: The cases of Hong Kong and Macau. *Journal of Contemporary Asia*, Vol. 25, No. 2, pp. 254-271.
- Lo, S.S.-H. (2007). One formula, two experiences: Political divergence of Hong Kong and Macao since retrocession. *Journal of Contemporary China*, Vol. 16, No. 52, pp. 359-387.
- Lo, S. (2009). Casino capitalism and its legitimacy impact on the politico-administrative state in Macau. *Journal of Current Chinese Affairs*, Vol. 38, No. 1, pp. 19-47.
- Lo, S.S.-H. and E.K.-M. Chong (2016). Casino interests, Fujian Tongxianghui and electoral politics in Macao. *Journal of Contemporary Asia*, Vol. 46, No. 2, pp. 286-303.
- Lust-Okar, E. (2005). *Structuring conflict in the Arab world: Incumbents, opponents, and institutions*. Cambridge: Cambridge University Press.
- Magaloni, B. (2008). Credible power-sharing and the longevity of authoritarian rule. *Comparative Political Studies*, Vol. 41, No. 4/5, pp. 715-741.

- Magaloni, B. and R. Kricheli (2010). Political order and one-party rule. *Annual Review of Political Science*, Vol. 13, No. 1, pp. 123-143.
- Malesky, E. and P. Schuler (2010). Nodding or needling: Analyzing delegate responsiveness in an authoritarian parliament. *American Political Science Review*, Vol. 104, No. 3, pp. 482-502.
- Manion, M. (2016). *Information for autocrats: Representation in Chinese local congresses*. New York: Cambridge University Press.
- Miller, W.E. and D.E. Stokes (1963). Constituency influence in Congress. *American Political Science Review*, Vol. 57, No. 1, pp. 45-56.
- Morgenstern, S. (2004). *Patterns of legislative politics: Roll-call voting in Latin America and the United States*. Cambridge: Cambridge University Press.
- Moser, R.G. and E. Scheiner (2012). *Electoral systems and political context: How the effects of rules vary across new and established democracies*. New York: Cambridge University Press.
- Poole, K.T. (2005). *Spatial models of parliamentary voting*. Cambridge: Cambridge University Press.
- Poole, K.T. and H. Rosenthal (1997). *Congress: A political-economic history of roll call voting*. New York: Oxford University Press.
- Poole, K.T. and H. Rosenthal (2011). *Ideology and Congress*. New Brunswick, NJ: Transaction Publishers.
- Ringe, N. and S.L. Wilson (2016). Pinpointing the powerful: Covoting network centrality as a measure of political influence. *Legislative Studies Quarterly*, Vol. 41, No. 3, pp. 739-769.
- Sieberer, U. (2006). Party unity in parliamentary democracies: A comparative analysis. *The Journal of Legislative Studies*, Vol. 12, No. 2, pp. 150-178.
- Svolik, M.W. (2012). *The politics of authoritarian rule*. New York: Cambridge University Press.
- Tam, W. (2017). Do female legislators have different policy priorities than their male colleagues in an undemocratic/semi-democratic legislature? The case

of Hong Kong. *The Journal of Legislative Studies*, Vol. 23, No. 1, pp. 44-70.

The Basic Law of the Macau Special Administrative Region of the People's Republic of China (in Chinese and in Portuguese)

The Standing Orders of the Macau Special Administrative Region of the People's Republic of China (in Chinese and in Portuguese)

Truex, R. (2014). The returns to office in a “rubber stamp” parliament. *American Political Science Review*, Vol. 108, No. 2, pp. 235-251.

Truex, R. (2016). *Making autocracy work: Representation and responsiveness in modern China*. New York: Cambridge University Press.

Wang, Y. and M. Peng (2016). Party unity after elections: A study of the roll-call votes in Hong Kong's Legislative Council. *Politics*, Vol. 36, No. 2, pp. 169-179.

Ward, M.D., K. Stovel and A. Sacks (2011). Network analysis and political science. *Annual Review of Political Science*, Vol. 14, pp. 245-264.

Yee, H.S. (1997). Money politics and political mobilization in Macau: The 1996 Legislative Assembly elections. *Asian Survey*, Vol. 37, No. 10, pp. 944-960.

Yee, H.S. (2005). The 2001 Legislative Assembly elections and political development in Macau. *Journal of Contemporary China*, Vol. 14, No. 43, pp. 225-245.

Yu, Wing-Yat E. (2007). Formal and informal politics in Macao Special Administrative Region elections 2004-2005”. *Journal of Contemporary China*, Vol. 16, No. 52, pp. 417-441.

Yu, Wing-Yat E. (2011). Electoral fraud and governance: The 2009 legislative direct election in Macao. *The Journal of Comparative Asian Development*, Vol. 10, No. 1, pp. 90-128.

Yu, W.-Y.E. and K.-M.N. Chin (2012). The political opposition and democracy in Macao: Revolutionaries or loyalists? *Government and Opposition*, Vol. 47, No. 1, pp. 97-116.

***East Asia's Despotic Other:
DPRK in Comparison***

Post-Communist Transition Revisited: The North Korean Regime in a Comparative Authoritarian Perspective

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Abstract

The view of convergence in terms of process of direction of change in the former state socialist countries invites questions about the cases of non-transition and their typological regime features. The paper examines the North Korean regime to assess its uniqueness in the path of post-communist transition and plausible explanations to the divergent outcome. North Korea's non-transition owes much to its unique behavioural features derived from different historical experience, leadership, legitimation, and political culture. The country-specific developments challenge the general transition paradigm, and warrant the behavioural approaches rather than institutional approaches to transition in studying the cases of non-transition. In regard to North Korea, the question is no longer finding the prototype of transition that is recommendable, but accepting the country-specific development process in search for alternatives, which may lead to a distinctive path and process. The observation of North Korea invites a new comparative

perspective on the remaining socialist countries in Asia, which brings the framework of transition from the authoritarian rule in assessing the prospects and challenges of political change.

Keywords: *post-communist transition, non-transition, North Korean regime, political elites, authoritarianism*

1. Introduction

Neither the third wave of democratisation that explains the breakdown of the authoritarian regimes nor the so-called “Refolution”¹ that describes the breakdown of the socialist bloc has relevance to the case of Asian communist countries. Some countries, such as China and Vietnam, have clearly deviated from the post-communist development manifested in the former Soviet Union and Eastern Europe, but, nonetheless, managed to bring rather stable and successful reforms. A country like North Korea has continued the main features of the old system without major political and social progress towards democratisation or liberalisation, and is still surviving. These Asian cases rekindle scholarly debates on the “convergence of system” theory in explaining the post-communist development and reviewing of the theoretical approach to post-communist transition that can accommodate the cases of both transition and non-transition.

The collapse of state socialism² represents the failure of grandiose historical project that had ended without reaching the final system of communism. A number of scholars pinpointed various economic, political, social, ideological and external factors as reasons for the collapse of the socialist bloc (Dahrendorf, 1990; Brown, 1991; Fukuyama, 1992; Kennedy, 1993; Lane, 1996; Linz and Stepan, 1996; Holmes, 1997). They concurrently argue that the collapse of state

socialism is a multi-causal phenomenon, hence there is no one single cause or set of causes to explain such a complicated phenomenon occurred in culturally diverse countries. Consequently, there has been no concrete and coherent theory on the collapse of the state socialist system derived from the analysis.

Scholarly discussions rather quickly moved on to post-communist developments: the studies of democratisation, consolidation, and transition progress in the former socialist countries predominated the field of transitology. The initial study of the post-communist transition had widely focused on the convergent path of development, in which all states discard the old state socialist system and replace it completely with an alternative system of democracy and market (Brown, 1991; Fukuyama, 1992; Linz and Stepan, 1996). Along this process, the cases of non-transition have been largely neglected or regarded as transition laggards (Saxonberg, 2013).

The paper is an attempt to bring back the subject of transition and non-transition from communism to illustrate the cases of diverging outcomes and to explain different trajectories of transition based on the existing theoretical approaches. The discussion will focus exclusively on the case of North Korea. From the discussion, the paper will bring out North Korea's distinctiveness that deviates from the existing path of development and proposes rethinking of regime typology in the post-communist era. The paper will also draw implications from the North Korean case to rethink about the developments of other surviving Asian communist states in the contemporary world.

2. Conceptual Framework: Rethinking Transition from Communism

In his work *The end of history and the last man*, Fukuyama (1992) claims that the history of ideas had ended with the recognition of liberal democracy as the final form of human government. The East European countries and Commonwealth of Independent States (CIS) have gone through a system change following the fall of the socialist bloc, which contoured a simple one-way trajectory of transition towards political pluralism, democracy, and the market. However, when we look closely into the decades of post-communist transition, we notice various paths of development in the former and present state socialist countries and their divergent outcomes. Understanding of such variations in the transition process calls for reconceptualisation of post-communist transition as well as regime features of the cases of non-transition.

2.1. Transition: System Change of State Socialism

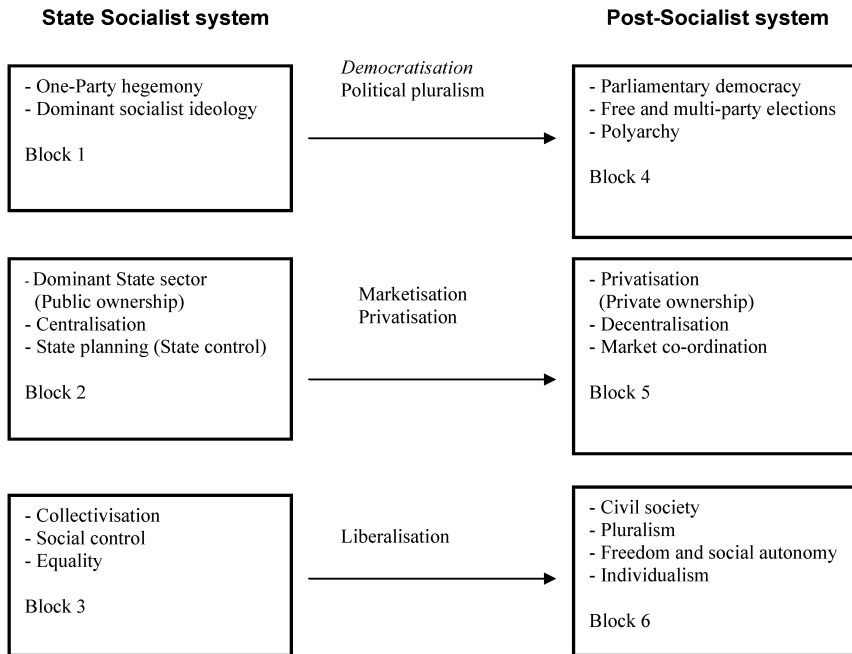
Taking “system” as a generalised and comprehensive concept, Kornai defines system change as a process in which a society shifts away from the fundamental characteristics of one system and transforms itself to another system with a completely different configuration (Kornai, 1998: 11). The system change, thus, involves a comprehensive transformation of main features of political, ideological, economic, and social dimensions within a system. The system change normally occurs through an evolutionary process, but post-communist transition was a unique and unprecedented example of system change, which featured the rapidity and radical nature of transition. It was a revolutionary system change in which the transformation of fundamental characteristics of state socialist system occurred simultaneously.

Lane describes state socialism as “a society distinguished by a state-owned, centrally administered economy, controlled by a dominant communist party which seeks, on the basis of Marxism-Leninism and through the agency of the state, to mobilise the population to reach a classless society” (Lane, 1996: 5). The distinctive political, ideological, economic features of state socialist system may be enlisted as a communist party monopoly of political power, a communist ideology, and a planned economy with public ownership of the principle means of production. The relinquishment of monopoly of power of the communist parties through free, multi-party elections, the abandonment of the communist ideology, and the revolutionary program of instantly transforming the planned economy into a market economy altogether characterise the system change of state socialism; this is what we refer to as post-communist transition of Eastern European countries.

Figure 1 shows the general direction of the system change of state socialism. The figure characterises the fundamental features of two distinguishable systems: state socialist system and post-socialist system. There may be various kinds within each system; however, the specific manifestations of socialism or post-socialism are assumed to have common features that constitute variants of the same system.

Block one, two, and three present the main characteristics of a socialist system while block four, five, six represent those of a post-socialist system. Upper blocks (block 1 and 4) are the features within the political and ideological sphere; middle blocks (block 2 and 5) are the features of the economic subsystem; and the lower blocks (block 3 and 6) are the features of social values. The main features of state socialist formation may be summarised as one-Party hegemony, dominant socialist ideology, public ownership, centralised economy through central planning and state control. Those of post-socialist system may be pinpointed as an installation of some form of democracy with free and

Figure 1 System Change from State Socialism

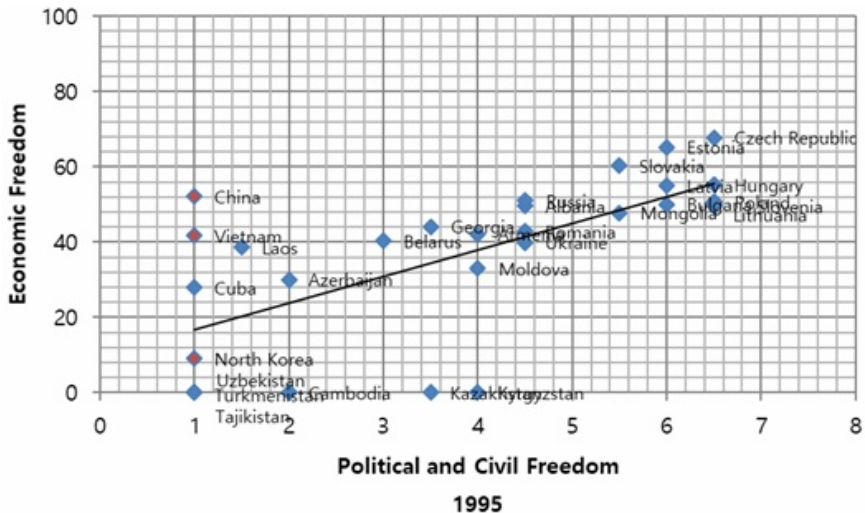


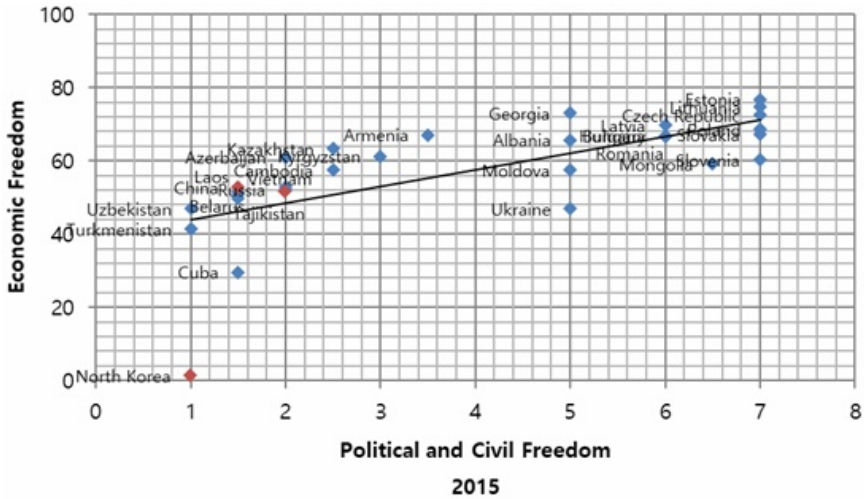
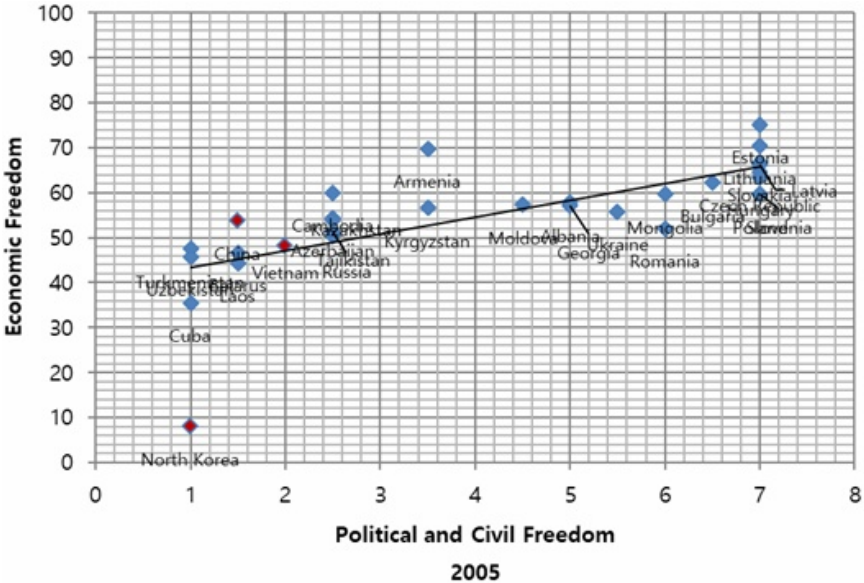
multi-party elections, pluralisation, absence of ideological monopoly, development of a market economy based on private ownership and decentralisation. The arrows indicate the direction of change and inducements for the change.

Transformation from a state socialist system to a post-socialist system can be gauged by the degree of democratisation (political pluralism) in the political system, marketisation and privatisation in the economic system, and liberalisation in the social system. The process and speed of system change from state socialism to a market economy polyarchy may vary among the countries depending on the degree of

democratisation, liberalisation and marketisation. Precise measurement is extremely difficult, nevertheless, the extent to which these processes have occurred in different socialist countries may be judged comparatively by employing relevant data.³ The graphs in Figure 2 exhibit a varying degree of progress in terms of political, social, and economic developments of 28 former and present state socialist countries since 1995. Bottom Left indicate the least development and Upper Right indicate the most advanced democratic capitalism. Red dots are China, Vietnam, and North Korea, of which China and Vietnam shows some progress over time whereas North Korea remains at the very bottom.

Figure 2 Post-Communist Development of 28 Countries in 1995, 2005, 2015





Noticeable in the graphs are the dots that have retreated backwards after 2005. If the convergence theory holds, a cluster of dots was supposed to move towards the direction of upper right in a more or less similar pattern. One implication drawn from the graphs is that post-communist transition needs to encompass the perception of diversity, deviation and regression in the transitional process.

The mechanism of transition from communism involves two simultaneous, but to some extent autonomous, processes: the breakdown of the declining system and the subsequent formation and consolidation of a new system. In this process, changes in the subsystems may not occur simultaneously and may proceed at different speeds and at different levels. If change occurs in one of the subsystems or at a policy level, it is a reform within the system rather than a system change. A complete departure from existing practice within all the political, ideological, and economic spheres is what constitutes the first stage of system change from state socialism. The second stage involves a transition progress of those countries that have abandoned the previous system of rule and adopted a post-socialist system.

While the first stage determines a trajectory of transformation, partial transformation, and non-transformation of the state socialist system, the successful and unsuccessful outcomes of transformation are shaped in the latter stage. Depending on the nature and the degree of transformation from the original state socialist system, there may be four different sets of countries distinguished as representatives of diverging outcomes of post-communist transition. Firstly, there are cases of successful transformation, which include the post-communist countries that have relatively successfully extricated themselves from state socialism, and replaced it with a new set of political, economic, social and legal systems. Secondly, cases of relatively unsuccessful transformation show either retarded transitional progress in terms of

political, economic, social and legal transformation or strong institutional legacies of state socialism. Thirdly, there are cases of partial transformation, which exhibit a distinctive evolutionary development of state socialism via a reform path like in China and Vietnam. Lastly, there exist cases of non-transformation which feature a lack of significant institutional change and continuation of the characterisation of the old system. These cases often feature coercive rule as well as a strongly repressed and controlled society, of which North Korea is an exemplary case.

2.2. Non-transition: System Survival of State Socialism

One plausible way of defining survival of state socialism is the presence of dominant and fundamental features of the old system. The characterisation of the state socialist system in the previous section pinpoints four main features of state socialism: (1) the formal hegemony of single party control and lack of political competition; (2) official socialist ideology; (3) a dominant state sector and public ownership; (4) central planning and regulation as the main form of economic organisation. Partial changes may have occurred in particular subsystems or on the policy-level; nevertheless, the state may still be regarded as a case of non-transition as long as it preserves these important institutional features constituting the state socialist system.

It may be argued that a communist-led regime is no longer communist when the communist party loses political power, even if great changes have taken place in the economic system or socio-economic structures. Scrutinising the Asian communist countries, the institutional and ideological foundations of communist rule have not been undermined. The Chinese Communist Party, the Communist Party of Vietnam, and the Korean Workers' Party (*Rodongdang*, 로동당 / 勞動黨) are still real locus of power and in control of the economy

and society of each respective country. China and Vietnam have shown a distinctive evolutionary development towards market socialism via a reform path without abandoning the existing polity. The market socialist reform resulted in a desirable economic effect and consent on pragmatic acceptance whilst the basic political organisation and operational system continued with one-Party hegemony exerting great control over the economy (Saxonberg, 2013). Significant changes that occurred in the economy have not yet caused instability or a major shift in the political and systemic order. North Korea, on the other hand, features a lack of significant institutional change in the state socialist system. Although there have been some limited reforms towards the market, North Korea often features coercive and military-oriented rule as well as a strongly repressed and controlled society. Whether the present North Korean regime represents a typical state socialist country is debatable. Nevertheless, on the basis of its major institutional features that conforms to the state socialist configuration, North Korea is categorised as a state socialist country. Presence of the dominant and fundamental features of the old system in this case is largely a consequence of absence rather than failure of transformation.

This kind of definition makes a clear distinction from transition laggards. A low degree of democratisation, liberalisation and marketisation in some CIS countries owes to reform failure, not to absence of transformation. These CIS countries had abandoned traditional practice within the political, ideological, social and legal spheres of state socialism and experienced the disintegration of an old system. One indication of system disintegration is the change in their Constitutions, which reflect significant institutional changes in these countries. Another indication is the remarkable improvement in political rights and civil liberties in these societies following regime change in the early 1990s (Freedom House, *Freedom in the World* 2001).

A simple way of distinguishing between transition and non-transition, therefore, may be the institutional features of a given country. From the official declarations in the Constitution, we may note the unchanged position of the Communist Party and other state socialist formal institutional features in all these societies. Although the Constitution may not define what actually happens in practice, it is an important public pronouncement of the institutional arrangement (Kwon, 2003, 29-34).

A point of departure for the discussion is the premise that there are countries that have survived the domino-like collapse of the socialist bloc of 1989-1991 and that their system has not been replaced by a conspicuously different economic and political system, at least formally. Whether these countries are refusing to abandon the existing system of rule or taking a different path of post-communist transition is a matter of contention. In the core of argument is that the cases of non-transition warrant a scrutiny of the nature of transformation and primary actors in the process. In the following section, theoretical approaches to transition will be reviewed in search for a paradigm in which divergent outcomes may be better explained.

3. Theoretical Explanations

There are four major theoretical approaches to the study of transition based on social science theories of social change (Roeder, 1998; Reisinger, 1998). Two distinctions are central to the study of regime breakdown and the process of transformation: (1) behavioural versus structural approaches; (2) state-centred versus society-centred approaches, with the former stressing the autonomy of politics from society and the latter the dependence of the political realm on society. Reisinger (1998) developed a scheme that captures commonly noticed

differences in emphasis and goals among those who study social change processes. The different bodies of literature that illustrate particular theoretical approach to the study of democratisation in general and post-communist transition are categorised in each cell.

Table 1 Theoretical Approaches to the Study of Transition

	State-centred	Society-centred
Structural (Objectivists)	<p>1. Institutions a. Constitutional Engineering <u>General</u> Aristotle (1995); Rae (1967); Lijphart (1984); Taagapera and Shugart (1989); Lijphart (1990); Shugart and Carey (1992); Satori (1994) <u>Communist/Postcommunist countries</u> Elster(1992); Linz and Stepan(1992); Clark(1996); Lane et al (2001) b. Neo-institutionalism <u>General</u> March and Olsen (1989); Moe (1984); North (1990) <u>Communist/Postcommunist countries</u> Roeder (1993)</p>	<p>2. Modernisation <u>General</u> Lerner (1958); Lipset (1959); Apter (1965); Moore (1967); Pye (1990) <u>Communist/Postcommunist countries</u> Lewin (1991); Hosking (1991)</p>
Behavioural (Subjectivist)	<p>3. Elite Political Culture, Ideology, or Interest <u>General</u> Michels (1949); Mosca (1958); Pareto (1935); Rustow (1970); Putnam (1973); Przeworski(1986); O'Donnell and Schmitter (1986); Hagopian (1990); Di Palma (1990); Burton <i>et al.</i> (1992) <u>Communist/Postcommunist countries</u> Beck <i>et al.</i> (1973); Welsh (1976); Willerton (1992); Higley <i>et al.</i> (1996); Kullberg (1994); Lane (1996)</p>	<p>4. Mass Political Culture <u>General</u> de Tocqueville (1835); Weber (1930); Almond and Verba (1963) <u>Communist/Postcommunist countries</u> White (1979); Barghoorn (1965); Brown and Gray (1979); Tucker (1973); Wegren (1996)</p>

The *state-centred and behavioural approach* represents the elitist approach. It emphasises elite political culture, ideology, and interest as an analytical factor in the process of transition and democratisation. The *state-centred and structural approach* includes two distinct, though not unrelated approaches. Constitutional engineering is based on premises that there are regularities between key institutional features and political outcomes. A number of empirical findings are used as a basis for recommending particular configurations of institutions for newly democratising countries. Neo-institutionalist approach is based on the path dependency assumption, focusing on how the formal rules of one or more institutions shape the behaviour of those operating within the institution.

The *society-centred and behavioural approach* considers an influence of political culture on polity. It tends to make political culture a fundamental concept, and thus employs surveys of public opinion and fieldwork as the dominant form of this type of research. The *society-centred and structural approach* represents the modernisation theories. It places an emphasis on the ways in which changes in economic institutions through industrialisation, urbanisation, the development of transportation and communication, and rise in education reshape societies in certain common way.

The four approaches have been employed by transitologists primarily to identify the pattern of establishment and consolidation of different types of liberal and partial democratic systems following the post-communist transition. Because they are predominately focused on understanding the circumstances under which democratic systems may be encouraged to emerge and flourish, some of the approaches may not have direct applicability in explaining non-transition. The applicability of structural approach, in particular, is very limited since it focuses

exclusively on the structural preconditions for democratisation, and takes all cases of regime change to be treated as part of the same wave of democratisation and as part of the common process of diffusion and casual interaction (Schmitter and Karl, 1994).

While the state-centred approach stresses institutions and elites as the major determinant of the transitional process and outcomes, the society-centred approach regards modernisation and mass political culture as important socio-economic and cultural preconditions of transformation. The society-centred approach, especially modernisation theory⁴, was popular among social scientists in explaining the third wave of democratisation based on the experience of transformation from authoritarianism in Latin America and East Asia. This approach, however, has a limited applicability to the analysis of breakdown of state socialism for the following reasons. Firstly, the basic characteristics of the state socialist system is a concentrated of power in the single centre (the communist party), centralised and state-run and largely nationalised economy, a highly centralised and relatively closed polity, and a society largely devoid of a bourgeoisie (Holmes, 1997; Rigby, 1990). Secondly, it features the political domination of society through the Communist Party and a weak civil society where there is a relative absence of civic culture and distinct large social strata having their own peculiar social interests or established political-ideological views. Such a weak society is less able to exert constraints on elites or on the state. In such a society, the social, economic and cultural factors cannot be expected to have the same effect as in other cases of regime change. Thirdly and most importantly, the breakdown of state socialist regimes was not a revolution driven by society, but dominantly propelled from the top. Much of the literature on the Soviet regime's dramatic implosion highlights the absence of mass action (e.g. Fish, 1995; Hough, 1997; Kotz, 1997). The populace, in many cases, played a minor role and was

never a primary actor in the transformation process from state socialism. In a state socialist society, the state's monopolisation of economic and public life left organisations outside the state with few resources by which they can increase the costs of oppression to political leaders (Dahl, 1971: 14-16). Such a weak society was thus less able to organise a strong opposition movement stemming from society.

Considering that the breakdown of the state socialist system was the process of abandoning state socialism as a system of power, in which political elite⁵ was a primary actor who played a significant role, the state-centred behavioural approach may have some bearings to the analysis of transition and non-transition. The structure and process of elite politics have been considered crucial to the understanding of the process of change in a number of studies (O'Donnell, Schmitter and Whitehead (eds), 1986; Higley and Burton, 1989; Higley and Pakulski, 1995; Higley, Pakulski and Wesolowski (eds), 1998; Lane, 1996; Lane and Ross, 1998). One of the principal criteria of the elitist approach considers the behaviour and actions of the political elite groups and the political culture imposed upon the polity. In their typological study of non-democratic regimes, Linz and Stepan (1996) rightly point out that inner loss of commitment make post-totalitarian regimes vulnerable to collapse.

The elitist approach to the first stage of transition, where a breakdown of the old system occurs, may link legitimacy problems to the behaviour and action of the leadership, and thus to regime consequences. Legitimation crisis and its effect offer an interesting perspective on the breakdown and survival of state socialism (Kwon and Cho, 2014: 124-127). Legitimation crisis is generally induced by different factors depending on the dominant mode of legitimation pursued. This brings back the factors listed as the causes of the breakdown of state socialism and how they had influenced the

legitimacy of ruling by political elite under the communist rule. Behaviour and action of the communist leadership facing the crisis – generated by economic decline, erosion of original and founded ideology, alternative vision to the socialist system, or external factors such as Mikhail Gorbachev's reform – were crucial for the regime consequences. The collapse of self-legitimation among the communist leadership happened when the ruling elite lost its way to continue the rule based on socialist organisational principles. Although legitimation crisis can be overcome in different ways to ensure system prolongation (Holmes, 1997: 52-58), system collapse is inevitable if the leaders fail to overcome legitimacy problems.

Due to the nature of top-down legitimation in a communist system, ruling elite's loss of confidence in the legitimacy of its own domination or will to rule, or faith in the system, is fatal. When the leaders are exposed to identity crisis associated with legitimacy failure, they are deprived of willingness to continue ruling the existing system, and some may look into an alternative system (Di Palma, 1991). The system may collapse when the leaders fail to manage legitimation crisis successfully because they lose faith in what they are doing and in the very system they are supposed to maintain.

The theoretical implications for transition pinpoint that the behavioural approaches rather than structural/institutional approaches are more appropriate in explaining the determinants of transition and non-transition. In other words, the behaviour of primary actors and societal conditions within the given institutional setting have a better explanatory power in addressing the surviving communist states. Focusing on the absence of identity crisis or loss of legitimacy, one could investigate regime features of these surviving communist states in terms of formation and preservation of identity. The following section

will consider the regime features of North Korea as one of the surviving cases and the distinctiveness that has formed North Korea's behavioural characteristics.

4. The North Korean Regime

Addressing the case of North Korea in post-communist transition, institutional setting may have little significance. North Korea features in a variety of typological categories of modern non-democratic regimes in accordance with the framing of institutional features and variables. Based on the universal features within a comparative framework, the North Korean regime is often classified as Totalitarianism, Authoritarianism, Sultanism or Personalistic Dictatorship (Linz and Stepan, 1996; Cheong, 1998; Chang, 1999; Cho, 2002; McCormack, 1993). Focusing on regime peculiarity, others describe North Korea as socialist corporatist state, *Suryong* (Supreme Leader, 수령 / 首領) system, monolithic leadership system, military state, theocratic state, and so on (Cummings, 1982; Wada, 2002; Suzuki, 1994; Suh, 2000). The forms of integration, legitimation and political management in North Korea have never been typical under the state socialist formation.

Deviation from the general path of socialist development had occurred in North Korea at an early stage of its regime consolidation process, and continued on a trajectory that differs from other state socialist states or departs from the convergent path of post-socialist transition. The behavioural approach to North Korea's lack of transition may point to the importance of elite unity and political culture that shape the regime type and peculiarities, which might have contributed to the collapse-proof North Korean regime.

In the formative stage of North Korean communist politics, there were several competing political factions and power struggles among the

communist leaders. The collective leadership, however, turned into a monolithic power structure centred on Kim Il Sung (김일성 / 金日成) through purges and elimination of other factions. By removing the opposition, Kim Il Sung established himself as the absolute ruler supported by a loyal cohesive elite. The concentration of power and formation of an integrated elite forged North Korea into an absolute monolithic totalitarian socialist state from the 1960s. The cult of personality intensified to consolidate Kim's power. Although personality cult existed in other socialist countries under Stalin or Mao, the personality cult in North Korea was peculiar in its scope, intensity, and duration. The cult was not confined to the individual, but extended to his family and relatives, which paved a way for a dynastic succession.

A leadership succession scheme, the father-son hereditary succession, markedly differentiates North Korea from other state socialist states' regimes. The leadership succession in the Soviet Union and China often accompanied an intense power struggle with the elite (Taras, 1989). Kim Il Sung sought a way to guarantee the continuation of the rule and his authority by designating his son, Kim Jong Il (김정일 / 金正日), as successor. In the process, he removed those who opposed the succession plan from key positions in the Party, state, and military to ensure his loyal supporters. Not only Kim Il sung prevented the possibility of challenge to his political power and eliminated possible conflict, a long-term preparation for succession to his son seems to have had a stabilising effect on the North Korean regime during the transition of leadership. There was no apparent internal conflict or power struggle within the North Korean power elite during the period of change of leader, which was often the case in other communist regimes. A succession of leadership throughout the three generations accentuating the "blood line" from Kim Jong Il to his son Kim Jong Un (김정은 / 金正恩) is rare for any non-democratic regime, let alone

state socialist regime. Nevertheless, legitimacy of leadership succession to Kim Jong Un has not been openly questioned.

Political culture based on Asian values may be pinpointed as another behavioural characteristics of the North Korean regime. The Asian societies tend to share similar characteristics of a specific set of values that are distinct from the Western ones. This is also known as the Asian values that stress social harmony, respect for authority and a belief in the family. The detailed features appear to have an explanatory power as to why the communist rule have well-survived in the Asian countries. First, there is a general disposition to respect leaders and the state because of the Confucian stress on loyalty, discipline, and duty. Second, there is broad support for “strong” government and general acceptance of state as a “father figure” that guides the decisions and draws up strategies for national development. Third, there is great emphasis on community and social cohesion. Lastly, the overriding priority is on growth and prosperity rather than individual freedom in the Western sense of civil liberty (Heywood, 2013: 278-279).

The overall feature of the Asian values makes the regime more susceptible to authoritarian/patrimonial type of ruling, hence to be more tolerant of powerful ruling parties. The Asian values emphasising hierarchy, respect for authority, strong government, and harmony tend to have a strong impact on the political culture that glue the elite together in many Asian countries. North Korea is no exception. Elite unity and cohesion has been relatively strong in North Korea; thereby, the ruling elite performed better in preventing, and in some cases, managing legitimisation crisis (Kwon, 2003). The study of elite cohesion and division under the Gorbachev leadership revealed a fragmented elite group with internal divisions in terms of ideology, institutional allegiance, and political culture in the configuration of the national elite in the Soviet Union (Lane, 1998: 90). In contrast, the North Korean

political elites remain strongly united ideocratically showing their personal commitment to the ideology and institutions of state socialism (Kwon, 2003; Saxonberg, 2013: 99-103). Such features in the political elite might have contributed to preventing legitimization crisis and accepting the status quo.

People with Asian values tend to be more fearful of confusion and anarchy caused by the change of system, thus prefer stability with the existing system rather than opt for a new social order. Democracy was hardly considered as an alternative system. A lack of democratic experience in North Korea, where communist regime was installed following decolonisation and foreign interference, left the regime relatively unfamiliar with the Western democratic values or with different conceptualisation of the Western type of democracy. Unlike Eastern European countries, North Korea that lacks true democratic experience has limited vision and strategy of reforming the existing system in the post-socialist era.

5. Prospect of Political Change in North Korea

The nature of development in North Korea brings out some important features that might have effectively prevented implosion within the ruling elite or spontaneous regime collapse. The primary actor in the process of regime breakdown is generally an organised group or a new ascendant class that is capable of challenging the existing leadership's confidence in its own rule and the system it advocates. In the case of North Korea, this element was certainly missing. There is little change or differentiation in the ruling elite as well as absence of civic culture or established political-ideological views. These features are very much due to the unique development of the North Korean regime, in which the nature of the North Korean polity evolved towards monolithic and

dynastic configuration and a society strongly controlled and repressed. The North Korean regime has adopted the state socialist institutions, but featured the authoritarian regime behaviour. As Fukuyama (2011: 3-4) rightly pointed out, the authoritarian elites would have no interest in implementing democratic institutions that would dilute their power. The cohesive North Korean political elite who enjoys its own domination is unlikely to opt for democratisation and liberalisation. In the absence of alternatives, the existing leadership and its system of rule continues in North Korea. The main features of the old system persisted in North Korea. However, continuation of the North Korean state socialist system was not a consequence of the superior functioning of its system compared to other disintegrated systems or rigid adherence to the Utopian goal of communism, but of lacking an alternative vision as how to restructure the existing system without risking regime collapse.

The European experience has been considered the prototypical model for post-communist transition, and success or failure has been gauged by the speed of change and the level of stability of a new democratic capitalist system. Yet, this generalised conception of post-communist development towards political pluralism, democracy and the market was not the case for all post-communist countries. A refined and comprehensive theoretical understanding of transition and non-transition surely requires systematic and comparative empirical study of the communist countries, which brings out the distinctiveness of political culture and regime behaviour in light of Asian communist states.

The behavioural approach to post-communist transition points to the features of elite, political culture, ideology, and interest as important factors that explain the transition from state socialism. In the same context, regime survival of the remaining state socialist countries could be explained. A scrutiny of regime peculiarities of North Korea illustrates a unique path of development at its earlier stage that deviates

from normal functioning of the state socialist formation. Despite the institutional state socialist setting, the nature of the leadership, ideology, and political culture based on the Asian values have surely shaped North Korea's distinctive regime formation and identity. However, these very factors have deprived the North Korean regime of an alternative vision or organised opposition groups, thus making it incapable of devising an alternative post-socialist system.

A study of North Korea's deviation from the general post-communist development as well as observation of other Asian communist states that take a different path of development pose a new challenge to the existing studies of transition and comparative politics. A regime typological framework needs revision to include the behavioural paradigm as well as the cases of remaining communist states. The question is no longer finding the prototype of transition that is recommendable for North Korea, but searching for a new paradigm that embraces the country-specific development process which may take a distinctive path and process. The observation of North Korea invites a new comparative perspective on the remaining socialist countries in Asia in order to discuss the prospects and challenges of political change within the framework of transition from the authoritarian rule.

Appendix 1 Date of Political and Civil Liberty and Economic Freedom

	1995		2005		2015	
Country	Political and civil liberty	Economic freedom	Political and civil liberty	Economic freedom	Political and civil liberty	Economic freedom
Albania	4.5	49.7	5	57.8	5	65.7
Bulgaria	6	50	6.5	62.3	6	66.8
Czech Republic	6.5	67.8	7	64.6	7	72.5
Hungary	6.5	55.2	7	63.5	6	66.8
Poland	6.5	50.7	7	59.6	7	68.6
Romania	4.5	42.9	6	52.1	6	66.6
Slovakia	5.5	60.4	7	66.8	7	67.2
Estonia	6	65.2	7	75.2	7	76.8
Latvia	6	55	7	66.3	6	69.7
Lithuania	6.5	49.7	7	70.5	7	74.7
Armenia	4	42.2	3.5	69.8	3.5	67.1
Azerbaijan	2	30	2.5	54.4	2	61
Belarus	3	40.4	1.5	46.7	1.5	49.8
Georgia	3.5	44.1	5	57.1	5	73
Kazakhstan	3.5	NA	2.5	53.9	2.5	63.3
Kyrgyzstan	4	NA	3.5	56.6	3	61.3
Moldova	4	33	4.5	57.4	5	57.5
Mongolia	5.5	47.8	6	59.7	6.5	59.2
Russia	4.5	51.1	2.5	51.3	2	52.1
Slovenia	6.5	50.4	7	59.6	7	60.3
Tajikistan	1	NA	2.5	50.4	2	52.7
Turkmenistan	1	NA	1	47.6	1	41.4
Ukraine	4.5	39.9	5.5	55.8	5	46.9
Uzbekistan	1	NA	1	45.8	1	47
Cambodia	2	NA	2.5	60	2.5	57.5
China	1	52	1.5	53.7	1.5	52.7
Cuba	1	27.8	1	35.5	1.5	29.6
Laos	1.5	38.5	1.5	44.4	1.5	51.4
North Korea	1	8.9	1	8	1	1.2
Vietnam	1	41.7	2	48.1	2	51.7

Notes: The rating on political rights represents the quality of democracy and the rating of civil liberties measures rights to free expression, to organise or demonstrate as well as personal autonomy apart from the state. Rating of 7 means having a high degree of freedom whereas rating of 1 means having least

political and civil freedom. The data is an average of the two ratings. The economic freedom data in scale from 0 to 100 shows the degree of change at the level of enterprise, markets and trade, and financial institutions in the countries to assess the degree of marketisation and privatisation. For the data of political rights and civil liberties, find the annual Freedom House report at <<https://freedomhouse.org/>>. For the economic freedom data, see the index of economic freedom of The Heritage Foundation at <<https://www.heritage.org/>>.

Notes

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1. “Refolution” is a new term created from “reform” and “revolution” to describe the transformation process from state socialism, which features change that has been rapid and complete in which political and economic institutions have been replaced concurrently. The process has been described as the revolutionary double-breakthrough route of transition from state socialism (Pei, 1994: 18)
 2. The notion of “communism” has been widely used in the West, referring to the system that should be called “state socialist”. Communism was more of an ultimate goal, and intended final outcome, but never the reality. “State socialism” best describes the decades of experience of “building communism” in the countries that have put communism into practice. In this paper, post-communist transition refers to the breakdown of a state socialist system and its replacement with a new alternative system.
 3. The Freedom House measurement of political rights and civil liberties provides an index of the degree of democratisation and liberalisation in

different countries during different time periods. For economic change, the transition report of the EBRD measures the degree of economic change from central planning towards open market-oriented economies in different former socialist countries and the Index of Economic Freedom data of The Heritage Foundation measures the degree of marketisation and economic liberalisation in different countries.

4. Modernisation theory pinpoints the economic structure as an impetus of social change, in large part because they alter the balance of power among social classes. Identifying the impact of changing institutions and economic development on the mass public's beliefs and behaviours, modernisation theorists argue that the society is likely to be influenced by the industrialisation, urbanisation, and other socioeconomic transformations in a direction of greater complexity of thought, self-efficacy, and political demands. Accordingly, modernisation process brings about citizen's receptivity to a more democratic political culture; thus, economic development inevitably accompanies democratisation (Moore 1965; Lipset and Rokkan, 1967; Fleron, 1996).
5. If political elite is generally defined as a politically influential person who is capable of making substantial political decision, the political elite in a state socialist regime narrows down to party-state bureaucracy: a limited network of individuals who play a key role in decision-making and a positional power elite based on Nomenklatura posts (Higley and Burton, 1989: 1997).

References

- Adams, Jan (1995). *Why did the socialist system collapse in Central and Eastern Europe?* London: Macmillan Press.
- Brown, James F. (1991). *Surge to freedom*. Durham, NC: Duke University Press.

- Chang, Dal Joong (1999). The Kim Jong Il regime and Juche vision: Ideology, Party and mass line. *Asia Studies*. (in Korean)
- Cheong, Seong Chang (1998). A comparative analysis of Stalin and Kim Il-Song regimes: The ruling ideology and power system. *Korean Journal of International Studies*, Vol. 37, No. 2. (in Korean)
- Cho, Han Bum (2002). A study of the North Korea socialist regime: Comparative socialist approach. *Unification Policy Studies*, Vol. 11, No. 2. (in Korean)
- Cumings, Bruce (1982). Corporatism in North Korea. *Journal of Korean Studies* (Duke University Press). Vol. 4 (1982-1983), pp. 269-294.
- Dahl, Robert. A. (1971). *Polyarchy: Participation and opposition*. New Haven: Yale University Press.
- Dahrendorf, Ralf (1990). *Reflections on the Revolution in Europe*. London: Chatto and Windus.
- Di Palma Giuseppe (1991). Legitimation from the top to civil society: Politico-cultural change in Eastern Europe. *World Politics*, Vol. 44, No. 1, pp. 49-80.
- Eckstein, Harry *et al.* (1998). *Can democracy take root in Post-Soviet Russia?: Explorations in state-society relations*. Lanham, MD: Rowman & Littlefield Publishers.
- Fish, M. Steven (1995). *Democracy from scratch: Opposition and regime in the new Russian Revolution*. Princeton: Princeton University Press.
- Fleron, Frederic J. Jr. (1996). Post-Soviet political culture in Russia: An assessment of recent empirical investigations. *Europe-Asia Studies*, Vol. 48, No. 2, pp. 225-260.
- Fukuyama, Francis (1992). *The end of history and the last man*. New York: Avon Books.
- Fukuyama, Francis (2011). *The origins of political order: From prehuman times to the French Revolution*. New York: Farrar, Strauss and Giroux.

- Harvie, Charles *et al.* (1997). *Vietnam's reforms and economic growth*. London: Macmillan Press.
- Heywood, Andrew (2013). *Politics* (fourth edition). Houndmills, Basingstoke, Hampshire: Palgrave Macmillan.
- Higley, John and Michael G. Burton (1989). The elite variable in democratic transitions and breakdowns. *American Sociological Review*, Vol. 54, No. 1, pp. 17-32.
- Higley, John and Michael G. Burton (1997). Types of political elites in postcommunist Eastern Europe. *International Politics*, Vol. 34, No. 2, pp. 153-168.
- Higley, John and Jan Pakulski (1995). Elite transformation in central and eastern Europe. *Australian Journal of Political Science*, Vol. 30, Issue 3, pp. 415-435.
- Higley, John, Jan Pakulski and Włodzimierz Wesolowski (eds) (1998). *Postcommunist elites and democracy in Eastern Europe*. London: Palgrave Macmillan.
- Holmes, Leslie (1997). *Post-communism: An introduction*. Cambridge: Polity Press.
- Hough, Jerry. F. (1997). *Democratization and revolution in the USSR, 1985-1991*. Washington D.C.: Brookings Institution Press.
- Kennedy, Paul M. (1993). *Preparing for the twenty-first century*. New York: Random House.
- Kornai, János (1998). *From socialism to capitalism: What is meant by the 'change of system'?* London: Social Market Foundation.
- Kotz, David M. (1997). *Revolution from above: The demise of the Soviet system*. London: Routledge.
- Kwon, Soyoun (2003). An elite analysis of the disintegration and survival of state socialism: The North Korean political elite in comparative perspective. (Ph.D. dissertation, Cambridge: University of Cambridge.)

- Kwon, Soyoung and Young Chul Cho (2014). Legitimacy and regime security in North Korea: Pyongyang's slogan politics. *East and West Studies*, Vol. 26, No. 4.
- Lane, David. S. (1996). *The rise and fall of state socialism*. Cambridge: Polity Press.
- Lane, David. S. (1998). Elite Cohesion and Division: Transition in Gorbachev's Russia. In: John Higley, Jan Pakulski and Włodzimierz Wesolowski (eds), *Postcommunist elites and democracy in Eastern Europe*. London: Macmillan Press, pp. 67-96.
- Lane, David. S. and Cameron Ross (1999). *The transition from communism to capitalism: Ruling elites from Gorbachev to Yeltsin*. London: Macmillan.
- Lane, David. S. (ed.) (2002). *The legacy of state socialism and the future of transformation*. Oxford. Rowman & Littlefield.
- Lee, Doowon (ed.) (1997). *The system transformation of the transition economies: Europe, Asia, and North Korea*. Seoul: Yonsei University Press.
- Linz, Juan J. and Alfred Stepan (1996). *Problems of democratic transition and consolidation: Southern Europe, South America, and post-communist Europe*. Baltimore: Johns Hopkins University Press.
- Lipset, Seymore M. and Stein Rokkan (1967). *Party systems and voter alignments: Cross-national perspectives*. New York: The Free Press.
- McCormack, Gavan (1993). Kim country: Hard times in North Korea. *New Left Review*, No. 198, pp. 21-48.
- Moore, Barrington Jr. (1965). *Soviet politics – the dilemma of power: The role of ideas in social change*. New York: Harper & Row.
- Naughton, Barry (1996). Distinctive features of economic reform in China and Vietnam. In: John McMillan and Barry Naughton (eds), *Reforming Asian socialism: The growth of market institutions*. Ann Arbor, MI: The University of Michigan Press.
- Nolan, Peter (1995). *China's rise, Russia's fall*. London: Macmillan Press.

- O'Donnell, Guillermo, Philippe C. Schmitter and Laurence Whitehead (eds) (1986). *Transitions from authoritarian rule: Prospects for democracy*. Baltimore: Johns Hopkins University Press.
- O'Driscoll, Gerald P. Jr., Kim R. Holmes and Melanie Kirkpatrick (1995). *1995 Index of economic freedom*. Washington, D.C.: The Heritage Foundation.
- O'Neil, Patrick H. (2015). *Essentials of comparative politics* (fifth edition). New York: W. W. Norton & Company.
- Pei, Minxin (1994). *From reform to revolution: The demise of communism in China and the Soviet Union*. Cambridge, Mass.: Harvard University Press.
- Reisinger, William M. (1998). Transitions from communism: Putting society in its place. In: Harry Eckstein *et al.*, *Can democracy take root in Post-Soviet Russia?: Explorations in state-society relations*. Lanham, MD: Rowman & Littlefield Publishers, pp. 229-248.
- Rigby, Thomas Henry (1990). *Political elites in the USSR: Central leaders and local cadres from Lenin to Gorbachev*. Aldershot, Hants: Edward Elgar.
- Roeder, Philip G. (1998). Transitions from communism: State-centred approaches. In: Harry Eckstein *et al.*, *Can democracy take root in Post-Soviet Russia?: Explorations in state-society relations*. Lanham, MD: Rowman & Littlefield Publishers, pp. 201-228.
- Rozman, Gilbert (ed.) (1991). *Dismantling communism: Common causes and regional variations*. Baltimore: Johns Hopkins University Press.
- Saxonberg, Steven (2013). *Transitions and Non-transitions from communism: Regime Survival in China, Cuba, North Korea, and Vietnam*. Cambridge: Cambridge University Press.
- Schmitter, Philippe C. and Terry Lynn Karl (1994). The conceptual travels of transitologists and consolidologists: How far to the east should they attempt to go? *Slavic Review*, Vol. 53, No. 1, pp. 173-185.
- Suh, Dae-Sook (1995). *Kim Il Sung: The North Korean leader*. New York: Columbia University Press.

- Suh, Dae-Sook (2000). *Hyundai Bukhan jidoja: Kim Il-sunggwa Kim Jong-il* [leaders of modern North Korea: Kim Il-sung and Kim Jong-il]. Seoul: Eulyoo Press.
- Suzuki, Masayuki (鐸木昌之) (1992, Korean tr. 1994). 北朝鮮 : 社会主義と伝統の共鳴 [North Korea: Socialism and the resonance of traditions]. Translated into Korean by Yu Young-gu as 김정일과 수령체사회주의 [Kim Jong-il and *suryong* system socialism]. Seoul: Joong-Ang Ilbo (Joongang Daily).
- Tanaka, Akihiko (1991). Socialism in East Asia: Vietnam, Mongolia, and North Korea. In: Gilbert Rozman (ed.), *Dismantling communism: Common causes and regional variations*. Baltimore: Johns Hopkins University Press.
- Taras, Ray (ed.) (1989). *Leadership change in communist states*. Boston: Unwin Hyman.
- Sun, Yan (1994). The Chinese and Soviet reassessment of socialism: The theoretical bases of reform and revolution in communist regimes. *Communist and Post-Communist Studies*. Vol. 27, No. 1, pp. 39-58.
- Tong, Yanqi (1997). *Transitions from state socialism: Economic and political change in Hungary and China*. Lanham: Rowman & Littlefield.
- Wada, Haruki (2002). *Kita Chōsen* [North Korea: from guerrilla state to regular military state]. Translated by Sō Tong-man and Nam Ki-jōng. Seoul: Tolbegae.
- World Bank (1996). *World Development Report 1996: From plan to market*. New York: Oxford University Press.

Office Publications

- Economic Freedom of the World: 2000 annual report*. The Fraser institute.
- Transition report, 1994/1995/1996/1997/1999/2000*. European Bank for Reconstruction and Development (EBRD).
- Freedom in the World: Political Rights and Civil Liberties*. Freedom House.

Website: <https://freedomhouse.org/report/freedom-world/freedom-world-2016>
(*Freedom in the World 2016 – Anxious dictators, wavering democracies:
Global freedom under pressure*)

1995 Index of Economic Freedom. The Heritage Foundation.

2000 Index of Economic Freedom. The Heritage Foundation.

2005 Index of Economic Freedom. The Heritage Foundation.

2010 Index of Economic Freedom. The Heritage Foundation.

2015 Index of Economic Freedom. The Heritage Foundation.

Postscript

***Brave New World Meets Nineteen Eighty-four in a
New Golden Age: On the Passing of Liu Xiaobo,
Advent of Big Data, and Resurgence of China as
World Power***

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Abstract

This paper aims to discuss recent years' worrying development in the intensified persecution of dissidents in the People's Republic of China, as most vividly symbolised by the death of the country's high-profile prisoner of conscience Liu Xiaobo, and the government's increasing and worsening intolerance for demands for political freedom and pluralism from the civil society, and how a perfect police state in this largest dictatorship on earth has now become imminent with the planned nationwide introduction of a "social credit system". The paper also examines the real implications of President Xi Jinping's "China Dream", and looks into the impressive outreach of China's economic power through the Belt and Road Initiative (BRI) that not only aims to make the global economy a friendly place for Chinese commerce, but also to elevate nationalistic popular support for the Chinese Communist Party's one-party rule in a new Chinese "golden era of prosperity" as well as to

extract complicity from foreign governments in assisting the PRC's domestic oppression on political freedom and civil liberties to reach beyond the country's borders.

Keywords: *Liu Xiaobo, dissent, dissidents, "China Dream", Belt and Road Initiative (BRI), Innenpolitik-Aussenpolitik nexus, "Golden Age", "Era of Prosperity", social credit system, surveillance, China, Malaysia*

1. Introduction: Political Repression in a New Golden Age

In what looks like a retrogression from the trend that William Dobson observed in his book *The dictator's learning curve* (2012), there is a general trend since 2014 "that authoritarian regimes were beginning to abandon the quasi-democratic camouflage that allowed them to survive and prosper in the post-Cold War world"¹, as Freedom House has observed very earlier on in its 2015 *Freedom in the World* report – *Discarding democracy: Return to the iron fist*. In recent years, the Chinese Communist Party (CCP)² government led by Xi Jinping (习近平), an admirer of Mao Zedong (毛澤東 , Mao Tse-tung) despite what Mao did to his father Xi Zhongxun (習仲勳 , Hsi Chung-hsün) during the Cultural Revolution, has resorted to campaigns against dissidents reminiscent of the Mao era, including televised confessions, as the latest ones by the abducted publishers and book distributors Gui Minhai (桂民海), Paul Lee (李波), Lui Por (呂波), Cheung Chi-ping (張志平) and Lam Wing-kei (林榮基) (owners and staff of Hong Kong's Mighty Current publishing company (巨流出版社) and Causeway Bay Books (銅鑼灣書店) owned by Mighty Current since 2014) somberly or tearfully admitting to smuggling illicit dissident books into China (and in the case of Gui Minhai also to a hit-and-run case a decade ago), and Swedish activist Peter Dahlin who was arrested in January 2016 for his activities in China with his human rights group,

the Chinese Urgent Action Working Group (CUAWG), offering training and support to Chinese human rights lawyers who were trying to provide justice to the country's disenfranchised and downtrodden. Peter Dahlin was paraded on China state television confessing that "I violated Chinese law through my activities here [...] I have caused harm to the Chinese government. I have hurt the feelings of the Chinese people. I apologise sincerely for this and I am very sorry that this has happened."³ Several other "suspects" have also been made to confess their crimes on television recently, including Beijing rights-defence lawyer Zhang Kai (張凱) who admitted on TV his crimes of "violating state law, disrupting social order, harming national security" (違反了國家法律, 擾亂了社會秩序, 危害了國家安全).⁴

Besides, the CCP regime is "also resorting to criminal and administrative detention to restrict activists instead of softer tactics like house arrest or informal interrogations", and according to Freedom House, has "made use of one of the Cold War's most chilling instruments, the placement of dissidents in psychiatric hospitals".⁵ This infamous and inhuman Soviet instrument of repression has also made a comeback in today's Russia.⁶ Whether Gui Minhai, Peter Dahlin, Gao Yu (高瑜) or various others in the spate of televised self-incriminations since President Xi Jinping took power five years ago represents an adaptation of the kind of forced public confessions by "enemies of the state" in the Mao era – especially during the tumultuous period of Cultural Revolution – to new technology that now makes it possible for everybody to see this on prime-time television, as New York University's Professor Jerome Cohen, a foremost scholar on China's legal system, observes. Recalling that Xi Jinping's father Xi Zhongxun, Mao's close comrade during the Chinese Soviet period, Long March and the Civil War era, who was publicly abused and humiliated during the Cultural Revolution, in fact advocated in 1983 the enactment of a law

that would guarantee everyone in China the right to express differing opinion, Professor Cohen told CNN, “I hope Xi follows his father’s advice rather than continuing along this path. But I don’t have my hopes too high.”⁷

Across the Chinese borders, China’s Belt and Road Initiative (BRI, earlier called “One Belt, One Road” or OBOR), including the 21st-Century New Maritime Silk Road (MSR), represents a truly ambitious plan involving almost US\$1 trillion of loans and aid packages which have been foreseen to have the potential to transform key regions of the world, boost interconnectivity, open new markets and stimulate investments flows. However, is BRI really a win-win strategy for both China and her neighbours, as China’s leaders have repeatedly emphasised, or does it, as its detractors claim, in fact mask a hidden agenda of neo-colonialism? As an important component of BRI, the MSR has great significance geopolitically for Southeast Asia and serves as an important element of China’s global strategy and diplomacy. The member states of the Association of Southeast Asian Nations (ASEAN) are the most prominent targets of this strategy, and enhancing close cooperation will serve to reinforce China’s influence in Southeast Asia, both political and economic, thus strengthening China’s hand in her global rivalry with the US for future superpower status. On the part of the Southeast Asian countries, response to BRI has varied from country to country, but is in general positive, and yet critics have pointed out that in exchange for economic favours these countries are risking their policy autonomy in falling into overdependence on China. The Chinese government’s close relations with some of the most authoritarian and kleptocratic regimes of the region, where BRI-related investments have made the most significant inroads, have raised the fear for a China factor in these regimes’ suppression of dissent, civil liberties and political freedom. One of the most outstanding examples has to be the high-

profile US\$33.6 billion deals former Malaysian prime minister Najib Razak brought home after his visit to China in November 2016 which attracted accusation that then Barisan Nasional (BN, i.e. “National Front”) ruling coalition was playing the China card to win votes – which became obvious during the election campaign leading up to the 9th May 2018 general elections – as well as to cover up corruption scandals to the degree of selling out Malaysia’s sovereignty. With BN government ousted, the new Pakatan Harapan (PH, i.e. “Alliance of Hope”) government has reassured the people that it will make good on its election promise of rescrutinising Najib’s China deals in order to either renegotiate the “unequal” terms and if possible to cancel infrastructure projects that were neither viable nor necessary, projects related to corruption of the ousted regime, e.g. the East Coast Rail Line (ECRL), and projects that will result in the country’s over-indebtedness to China which will turn the country into a pawn in the advancement of China’s ambitious regional agenda at the expense of Malaysia’s own national goals.

This paper aims to discuss recent years’ worrying development in the CCP regime’s tightening of its persecution of dissidents, as most vividly symbolised by the death of its high-profile prisoner of conscience Liu Xiaobo (劉曉波)⁸, human rights activist and main figure behind *Charter 08* (零八憲章)⁹, and its increasing and worsening intolerance for demands for political freedom and pluralism from the civil society, and how a perfect police state in this largest dictatorship on earth has now become imminent with the proverbial Orwellian Big Brother finally meeting Big Data in a Huxleyan turn of events.

Finally, if we consider the impressive outreach of China’s economic power as the main driver of its “sharp power”, if not “soft power”, this paper will analyse, in an ominous application of *Innenpolitik*-

Außenpolitik nexus (some prefer the portmanteau “intermestic”, blended from “international” + “domestic”), not only that such influence makes the global economy a friendly place for Chinese commerce, elevates nationalistic popular support for the Chinese Communist Party’s “mandate from heaven” to be the sole party legitimate to rule all China as the government takes pride in bringing back the most glorious *Yongle* and *Kang-Cian Shengshih* (“eras of prosperity”; on Roman transliteration of Chinese terms, see Note 10)¹⁰, but the much touted Chinese “soft power” derived from Xi Jinping’s Belt and Road Initiative (BRI) has been put to excellent use to extract complicity from foreign governments in assisting the PRC’s domestic oppression on political freedom and civil liberties to reach beyond the country’s borders.

2. Persecuted Dissidents – Recent Prominent Cases

To bring into perspective the level of brutality the CCP regime is presently continuing to mete out to the country’s dauntless, and almost suicidal, activists for political freedom and civil liberties, let us first look at the list of the most recent, more noticeable prisoners of conscience,¹¹ though these represent hardly a drop in the ocean among the almost nine thousand political prisoners¹² currently languishing and rotting away in the Chinese gulag:

◇ Liu Donghui (劉東輝). Dissident. His participation in the 1989 democracy movement led to sentencing in 1992 to 2 ½ year imprisonment under the charge of “counter-revolutionary propaganda and incitement”. In 1999 he was sentenced to 13 years of imprisonment under the charge of “subversion of State power”. In 2011 he was sentenced to 10 years of imprisonment under the charge of “subversion of State power”.

◇ Tang Jingling (唐荊陵), Yuan Xinting (袁新亭 / Yuan Chaoyang (袁朝陽)), Wang Qingying (王清營). Advocates of civil disobedience movement (公民不合作運動) and among the first batch of signatories of *Charter 08*. In 2016 they were charged with “inciting subversion of state power” and sentenced to five years, 3 ½ years and 2 ½ years of imprisonment respectively. Tang contracted gastritis and blood in the stool under the harsh prison condition. Tang had long been concerned about human rights, and participated in the protection of rights, pursuing democratic constitutionalism, vigorously promoting the citizens’ non-cooperative movement, and as a result repeatedly suffered from State persecution including harassment, surveillance, house arrest, forced travel, and enforced disappearance. Earlier in February 2011, he was detained by the Guangdong police for “inciting subversion of state power” due to the “Chinese Jasmine Revolution”, and was reportedly brutally tortured and almost died, while his wife also lost her job. Yuan, editor and among the first signatories of *Charter 08*, promoter of non-violent citizens’ non-cooperative movement, was reportedly brutally tortured while in detention and is suffering from hypertension, stomach illness, and severe gallstones, blood in the stool, hemorrhoids. Wang, former university lecturer, among the first signatories of *Charter 08*, well-known citizen activist in Guangdong, promoter of non-violent citizens’ non-cooperative movement, has long suffered from State persecution for his activities, was reportedly subjected to brutal torture and extreme inhuman abuse during both at detention centre and in prison. Tang, a prominent human rights lawyer who had helped farmers take local officials to court over claims of illegal land seizures, announced the founding of a small-scale “non-violent civil disobedience movement” in 2006, according to US-based group Human Rights in China.¹³ He and Yuan and Wang distributed books about non-violent

resistance and, as police described, “wilfully incited the subversion of state power and the overthrow of the socialist system” and had rented an office to study, print, and mail books including one titled *On strategic non-violent conflict: Thinking about the fundamentals*, as well as disseminated Professor Gene Sharp’s *From dictatorship to democracy*¹⁴, which according to police, “have been confirmed to have serious political transgressions”.¹⁵

◇ Huang Qi (黃琦), well-known human rights defender, co-founder in 1998 of Tianwang Center for Missing Persons (天網尋人事務所, later renamed the Tianwang Human Rights Center), founder in 1999 of 64tianwang.com (六四天網, a website originally intended to release news about people who had disappeared in the PRC), imprisoned by the government from June 2000 to June 2005. After he was sentenced in February 2003 to five years in prison for “inciting subversion of state power” he was reportedly repeatedly beaten by bailiffs, prison guards and other criminals in prison, resulting in hydrocephalus, brain atrophy, cerebral ventricle enlargement, narrowing of the cerebral aqueduct, etc. He was again arrested in July 2008 for “illegal possession of state secrets” after he helped the victims of the Sichuan earthquake; in November 2009 he was sentenced to three years of imprisonment, and due to long-term suffering and inhuman abuse in prison, he has reported suffered from terminal kidney disease.¹⁶ In 2016 again arrested for “leaking state secrets”, and the procuratorate has requested the court to sentence him to 12-15 years of imprisonment. Reportedly now seriously ill with nephritis, diabetes, severe cerebral blood stasis, myocarditis, coronary heart disease, and emphysema.

◇ Lin Zulian (林祖鑾 / 林祖戀): After the 2011 Wukan uprising (烏坎抗爭), Lin Zulian was elected to be the new village committee chief in

2012. In June 2016, Lin and villagers discussed to, through *shangfang* (上訪, “traveling up” to the capital for petitioning), get back land sold off by previous corrupt committee. He was then arrested by police on 17th June and subsequently charged with “receiving bribes” and sentenced on 8th September 2016 to 37-month imprisonment (till 16th July 2019) and fined RMB200,000.¹⁷ In May 2017, he reportedly fell while in jail and broke his left knee cap and with tubercle bacillus found in his lung.

◇ Qin Yongmin (秦永敏), a worker of Wuhan Steel Corporation, author, political commentator, human rights activist and co-founder of the Democratic Party of China (中國民主黨), edited and published *The Bell* (《鐘聲》), a journal in Wuhan promoting democracy at the end of the 1970s, was arrested in 1981, sentenced to eight years in prison for “counter-revolutionary propaganda and incitement” (反革命宣傳煽動罪), and released from prison in 1989. Over 22 years since 1970 to 2015, he has been extralegally arrested and detained 45 times by the Chinese authorities.¹⁸ He published In 1997 an open letter to Jiang Zemin, asking the CCP to carry out political reform in China in order to achieve constitutional democracy, and in 1998 founded *The Communication of PRC Human Rights Watch* (《中國人權觀察》通訊) in Wuhan, issued hundreds of reports on the reality of human rights in China, publicly established the Hubei Province Committee of The Democracy Party of China, and was arrested and sentenced to 12 years in prison for “subversion of state power” (顛覆國家政權罪). After he was released from prison in November 2010, he continued his promotion of democracy and human rights in China, and was illegally detained numerous times. Qin’s persistence in fighting for freedom of speech, publication, association, and the exercise of all basic human rights, including organizing political parties despite being repeatedly

subjected to imprisonment, arrest, criminal and administrative detention, re-education through labor and residential surveillance for decades is truly amazing. In the 43 years from 1970 to 2012, he was arrested or detained 39 times, sentenced to imprisonment for a total of 22 years. Like Liu Xiaobo, as one of the longest-serving political prisoners in the PRC, Qin has declared that he will not leave China until constitutional democracy has been realised. At the end of another three years in detention, Qin was again sentenced in July 2018 to 13 years in prison (till 8th January 2028) for “subversion of state power” for having written articles and published a book in Hong Kong advocating a peaceful transition to democracy for China and had issued statements, organised pro-democracy groups and shared meals and meetings.

◇ Yang Tongyan (楊同彥 , writing under the pen name Yang Tianshui (楊天水)), novelist, essayist, poet, accused by CCP regime as engaging in “actions against revolution” after the June 1989 Beijing massacre and was imprisoned from 1990 to 2000; arrested and then held in a detention centre since December 2005, and sentenced in May 2006 to 12 years of imprisonment for publishing criticism on the Chinese government, and sent to prison in the city of Nanjing. He had tuberculosis, peritonitis and was treated in hospital in 2010, but his application for medical parole was denied. In August, 2017, he was released on medical parole for treatment of aggressive form of brain cancer in hospital of Shanghai, underwent brain surgery there on 23th August, but was denied contact with friends and colleagues, and also denied to travel abroad for treatment. He died in the hospital in Shanghai on 7th November 2017, his relatives were pressured by the government to secretly cremate his body and bury his ashes in the sea. Yang was the third well-known political prisoner to die during imprisonment within less than a year.¹⁹

◇ Yang Maodong (楊茂東, pen name: Guo Feixiong (郭飛雄)), human rights lawyer from Guangdong province, dissident writer and “barefoot lawyer” who has worked on several controversial issues to defend the rights of marginalized groups. Human rights groups reported in 2005 and 2006 that he was taken into custody and beaten on multiple occasions for his human rights advocacy. On 30th September 2006 he was arrested and detained on charges of “illegal business activity” related to the publication of a book on a political scandal in Liaoning province, and after being held in pre-trial detention for 17 months, he was sentenced on 14th November 2007 to five years of imprisonment at the Meizhou Prison as well as fined 40,000 yuan. Family members reported that he was tortured in custody, deprived of sleep, and shocked with electric batons on the genital resulting in his attempted suicide. Released on 13th September 2011, he was again arrested on 8th August 2013 on suspicion of “gathering a crowd to disrupt order in a public place” and on 27th November 2015 he was sentenced to 6 years of imprisonment (till 7th August 2019).²⁰ During imprisonment, his health deteriorated rapidly with severe oral bleeding and unstable walking, and by April 2016 his illness was already in critical condition but the prison authorities still also refused to provide timely treatment, leading to Amnesty International issuing an urgent action statement.

◇ Wang Quanzhang (王全璋). Civil rights lawyers in the PRC are used to face arrest, beating, torture, humiliation and being forced to deny their work on television. Three years ago in July 2015, the CCP regime began a crackdown on civil rights lawyers and human rights activists and some 300 professionals have been arrested, and since then around two dozen have been pursued as formal investigations. Some of the accused have been given long jail terms, of up to seven and a half years, for the crime of subversion, while others have been given suspended prison sentences

or released on bail but remain under constant surveillance. However, some of them remain missing after 3 years, like Wang Quanzhang. There have been allegations that some of the lawyers have been tortured during their detention, force-fed drugs, shackled, beaten and kept in stress positions for long periods of time, and therefore, their supporters argue, their admissions of guilt, either in court or in the televised confessions that have been broadcast by state-run TV, should not be taken at face value, but rather reflects the inevitable consequence of the pressure they have been under while in detention. The reason that Wang Quanzhang, though formally arrested in January 2016 for “subversion of state power” and formally charged in February 2017, is still missing in the black hole of the Chinese gulag, without court hearing and being denied visitors or lawyers, might be because he is still holding out, or worse, mentally broken under brutal torture, maimed or already dead, as his family, friends and colleagues fear. It is reported that during the detention, he was subjected to brutal tortured, including being attacked with strong electric currents several times, resulting in his fainting on the spot, and close to death.²¹

◇ Wu Gan (吴淦), blogger and human rights activist from Fuqing, Fujian. In spring 2015 he started working for the Beijing Fengrui Law Firm, but was detained by police on 20th May 2015 in Nanchang, formerly arrested on 7th July and charged with inciting subversion of state power, charged on 16th August with subversion of state power. After two years in detention, he was put on trial in Tianjin in August 2017, charged with subversion of state power, and found guilty in December 2017 and sentenced to eight years in prison (till 18th May 2023), which is one of the harshest sentences given to a Chinese human rights activist since the start of China's crackdown on lawyers and activists in 2015. During his detention, he was reportedly subjected to

continuous sleep deprivation for days and nights, brutal torture and various inhuman abuses, solitary confinement, deprivation of basic living rights, and being threatened with his family's personal safety, being forced to go under "abusive treatment" in hospital including various unexplained examinations, blood taking, being forced to swallow unknown drugs, and deprived of sunlight for over two hundred days.²²

◇ Guo Quan (郭泉), human rights activist, founder of the China New Democracy Party, a former associate professor and PhD candidate advisor at Nanjing Normal University, and a researcher at the Nanjing Massacre Research Center. He was dismissed as university professor after he founded the democratic opposition party. Having been detained many times before, according to his wife Li Jing, for a few days at a time, Guo was reportedly seized outside his home by police officers in 2008 for his criticism of the government's handling of the Sichuan earthquake, under the charge of "subversion of state power", and was sentenced on 16th October 2009 to 10 years in prison (till 12th November 2018).²³

◇ Chen Yunfei (陳雲飛), participant of 1989 Tiananmen pro-democracy demonstrations, human rights activist and blogger from Sichuan province who has campaigned against environmental degradation, highlighted human rights abuses and spoken out on behalf of the families seeking justice for those killed by government troops during the 1989 Beijing massacre – advocacy for which he has been subjected to threats, harassment, physical attack, illegal detention and house arrest. He was also repeatedly put under house arrest and constant surveillance for his involvement in memorial activities for the victims 1989 Beijing massacre, for former premier Zhao Ziyang and also involvement in the

2011 Chinese pro-democracy protests (Chinese Jasmine Revolution / 中國茉莉花革命). On 25th March 2015, Chen and more than 20 other people in Sichuan province's Xinjin county were intercepted and taken away by more than a hundred armed police on the way back after sweeping the graves of those who were killed by government troop in the 1989 Beijing massacre. Chen, has been has been incarcerated since 25th March 2015, was reportedly subject to torture repeatedly in the Chengdu detention centre where he was being held. On 31st March 2017 Chen received a guilty verdict for "picking quarrels and causing trouble" and sentenced to 4 years of imprisonment (till 25th March 2019), and his appeal was later rejected. He was reportedly subjected to brutal torture and inhuman abuse in prison.²⁴

◇ Liu Feiyue (劉飛躍), school teacher, well-known civil rights activist, pacifist, member of the outlawed China Democracy Party (中國民主黨), founder of *weiquan* (維權, rights-defending) website "People's Livelihood Watch" (民生觀察). Over the years, as a result of his long running promotion of democratic rights protection, he has been repeatedly summoned, detained and even brutally beaten by the police.²⁵ He was arrested on 7th November 2016 for "subversion of state power". While in detention an additional charge – the crime of "illegally providing state secrets abroad" – was added in August 2017, with a possible maximum sentence of life imprisonment.

◇ Gao Zhisheng (高智晟), human rights attorney and dissident. For defending activists and Falungong religious minorities and documenting human rights abuses in China, Gao has been disbarred and detained by the CCP regime several times, and severely tortured. He last disappeared in February 2009 and was unofficially detained until December 2011, when it was announced he was sentenced to 3-year imprisonment.

Reportedly having been fed with a slice of bread and a piece of cabbage daily, and with medical access denied, he was released from jail on 7th August 2014 in bad health, was subsequently kept under house arrest, from which he managed to escape on 13th August 2017. However, after only about three weeks on the run, he was taken back into custody upon his recapture the following month.

◇ Fu Hailu (符海陸), Luo Fuyu (羅富譽), Chen Bing (陳兵), Zhang Junyong (張雋勇), who together created bottled wine (“銘記八酒六四” 的 “27年記憶陳釀酒”) branded with that iconic “tank-man” (Wang Weilin (王維林) bare-handedly staring down a row of tanks during the 1989 Beijing massacre) on the eve of 4th June 2016, were arrested immediately, and on 24th March 2017 were charged with “inciting subversion of state power” but the need to proceed with the case seems to be ignored, allegedly due to the sensitivity of the issue,²⁶ while the four remain languishing in detention.

◇ Yiu Mantin (姚文田), chief editor of a Hong Kong publishing company Morning Bell Press (晨鐘出版社), has worked with dissident writers to publish books that have been banned in mainland China. While he was preparing to publish a book called 《中國教父習近平》 (Chinese Godfather Xi Jinping) written by the U.S.-based exiled Chinese author Yu Jie (余傑), he was first taken into custody on 27th October 2013 in Shenzhen on Mainland China's side (where he went reportedly believing that he was delivering paint for a friend) and formally arrested in November and charged with “smuggling bottles of industrial chemicals in multiple incidents going back to 2010”, and in May 2015 he was sentenced to 10-year imprisonment (till October 2023) – which shows that, according to his son, “There is no question that they are trying to punish him for his public activities through normal criminal

charges.”²⁷ Yiu is reportedly severely ill, suffering from heart disease and asthma, and has fainted many times during his detention, but the prison authority has rejected his family’s plea for medical parole.²⁸

◇ Sun Feng (孫峰), civil rights defender and vocal democracy activist against CCP dictatorship, who repeatedly publishing on the web articles demanding government to reevaluate the 1989 Tiananmen demonstrations, and protesting in the streets against the government’s incarceration of dissidents, civil rights defenders and democracy activists, was arrested on 29th January 2014 under the charge of “inciting subversion of state power”, and sentenced in November 2016 to 5-year imprisonment (till 15th November 2019).²⁹

◇ Hu Shigen (胡石根), Zhou Shifeng (周世鋒), Gou Hongguo (勾洪國), Zhai Yanmin (翟岩民). Democracy activist Hu, a former lecturer, is the co-founder of China Liberal Democratic Party (中國自由民主黨) and its peripheral organisations China Progressive League (中華進步同盟) and China Free Trade Union Preparatory Committee (中國自由工會籌備委員會), both together with the LDP are of course outlawed by the CCP regime. Hu was arrested in 1992 for planning to disseminate flyers regarding the June 1989 Beijing massacre and in remembrance of its victims, and was sentenced to 20 years of imprisonment for “organizing and leading counter-revolutionary group” (組織和領導反革命集團罪) and “counter-revolutionary propaganda and incitement” (反革命宣傳煽動罪). He reportedly almost died from illness while in jail, and was released after 16 years on 26th August 2008. His work to promote democracy and human rights protection continued, and he has been persecuted the authorities through tight surveillance, summon to interrogate, house arrest and enforced disappearance. In 2011, he was secretly detained by the police for

supporting the “Chinese Jasmine Revolution” and beaten and threatened.³⁰ He was summoned and arrested by the police in May 2014 for attending a “June 4th Seminar”, released in June. He was arrested again in 2015 and was prosecuted in July 2016 together with civil rights lawyer Zhou Shifeng, and social activists Gou Hongguo and Zhai Yanmin for the crime of subversion of state power (顛覆國家政權罪). In August 2016, Hu was sentenced to 7 years and 6 months in prison, Zhou to 7 years, Gou to 3 years with 3-year probation, and Zhai to 3 years with 4-year probation. On 25th September 2017, just before the 19th National Congress of the CCP, Zhai was suddenly taken away by the police, his house was ransacked, and desktop computers and laptops in his house snatched. He was released and returned home the following afternoon, and accused that while in custody in the police station he was tortured for 24 hours on a tiger bench³¹ (老虎凳 , a torture instrument, predominantly used in China, in the shape of a small iron bench on which a prisoner is forced to sit with his/her knees tied together tightly using belts and with hands tied behind his/her back or sometimes placed on the knees, then with bricks or some other hard objects increasingly added under the prisoner’s feet until the belts break which in turn means retying and starting over – a torture session during which the prisoner endures unbearable pain and often passes out and sometimes dies)³².

◇ Victims of the “709 mass arrest” of human rights lawyers. In CCP regime’s assault that began on 9th July 2015 on human rights lawyers and activists across the country, up to 6 pm on 31st May 2017, at least 320 lawyers, staff of lawyer firms, rights-defenders and their family members were interviewed, summoned, restricted from leaving, put under house arrest, surveillance of residence, arrest, and enforced disappearance. Amnesty International that put the number of lawyers and activists who were questioned by police, detained or charged in the

unprecedented sweep, which had fanned across the country and, in one instance, beyond its border into the Burmese border town of Mongla, at 248 comments: “The human rights lawyers and activists caught up in China’s crackdown have been referred to in Chinese state media as part of a “major criminal gang”, troublemakers or otherwise had their characters assassinated. Many of them face charges of trying to subvert state power. To their friends and families however, they are mothers and fathers, daughters and sons, brave enough to be involved in human rights cases stigmatized by authorities.”³³

◇ Yin Xu’an (尹旭安), public welfare defender, was seized by police three days after he and other activists had publicly shown support for activist Wu Gan who was detained in late May 2015, wearing t-shirts with Wu’s image in front of the Yellow Crane Tower (Huanghe Lou / 黃鶴樓) in Wuhan on 25th July 2015 and then posted the activity’s photos online. Yin was formally arrested on 26th September 2015 and sentenced on 27th May 2017 to 3 and a half years of imprisonment for “picking quarrels and provoking troubles” (尋釁滋事罪). Reportedly tortured and beaten during incarceration, while Yin’s family visited him in April 2018 and found that his medical condition had seriously deteriorated, with blood pressure dangerously high and suffering from complications, including retinopathy (damage to eye blood vessel) that has caused blurred vision and temporary blindness, but his request for medical parole has been denied, and prison officials refuse to give his family a certificate of medical diagnosis, thus preventing them from applying for bail.³⁴

◇ Wang Mo (王默), Xie Wenfei (謝文飛 / Xie Fengxia (謝豐夏)), Zhang Shengyu (張聖雨 / Zhang Rongping (張榮平)), Liang Qinhui (梁勤輝). On 8th April 2016, after a year and half in detention, Wang

and Xie arrested in 2014 for holding banners on the streets of Guangzhou in support of Hong Kong's Occupy campaign/Umbrella Movement were convicted of "inciting subversion of state power" and sentenced to four and a half years imprisonment, and Zhang, who has been repeatedly detained for his pro-democracy and anti-CCP dictatorship activities, who also held a placard in support of the Hong Kong students' Occupy campaign, was sentenced on 14th April to four years on the same charge. Xie and Zhang are reportedly tortured and beaten while in detention.³⁵ Also on 8th April, blogger Liang was sentenced to one and a half years' imprisonment on the same charge for publishing sharply worded articles on the web criticising CCP dictatorship.

◇ Su Changlan (蘇昌蘭), Chen Qitang (陳啟棠). After being detained for over 2 years for publishing articles on the web supporting Hong Kong's Occupy campaign/Umbrella Movement, women's rights and writer, editor, Internet political commentator and human rights activist Su Changlan with another rights activist Chen Qitang were both sentenced on 31st March 2017 for "inciting subversion of state power" to 3 years' (till 26th October 2017) and 4 and a half years' imprisonment (till 24th May 2019) respectively. Su was reportedly subjected to inhuman abuse during incarceration, and according to her defense lawyer in May 2017, she seemed to be suffering from hyperthyroidism and swelling, with shaking hands and feet, and intermittent pauses of the heart, and though the disease is serious, she was denied treatment.³⁶

◇ Ilham Tohti, formerly an economics professor at the Central University for Nationalities in Beijing who was consistently outspoken on Uyghur rights in China, a researcher on Uyghur-Han relations, a vocal advocate for the implementation of regional autonomy laws in China who has

conducted research and written numerous articles on topics related to human rights violations in Xinjiang, host of the website “Uyghur Online” that discusses Uyghur issues, was detained shortly after the July 2009 Ürümqi riots by the authorities due to his criticism of the Chinese government’s policies toward Uyghurs in Xinjiang. He was later released but was again arrested following a raid on his home on 15th January 2014 and was tried on 23rd September 2014 and found guilty of “separatism” and sentenced to life in prison. During his incarceration, he has been subjected to recurring violations of international human rights standards with regard to detention conditions such as limitations of family visits, intercepted communication, solitary confinement, deprivation of food and intimidation, while his family and colleagues have also been subjected to judicial harassment including the arrest of seven of his students also in 2014 and the arrest of his niece in early 2016 for possessing his photos and articles on her cellphone.³⁷

◇ Besides, also need to be mentioned, though not behind bars, are Ding Zilin (丁子霖), You Weijie (尤維潔), Zhang Xianling (張先玲) and others of the Tiananmen Mothers (天安門母親), a group of Chinese democracy activists formed in September 1989 promoting a change in the government's position over the 3-4 June 1989 Beijing massacre committed by the ruling CCP, comprising the parents, friends and relatives of victims of the massacre. The group’s main activists have been under constant close surveillance including frequently what advocates describe as house arrest, with all their telephone calls monitored and being told not to talk to other activists, with foreign media, and with human rights organizations.

3. The Death of Liu Xiaobo

When dissident Yang Tianshui died on 7th November 2017 (in a hospital, not prison, of course, in a standard formula just like the case of like Liu Xiaobo, shortly after being “released on medical parole” in August 2017), he was the third well-known political prisoner to die, as should be correctly described “during imprisonment”, within less than a year. The other two were Peng Ming (彭明), who died abruptly in prison in November 2016 and Liu Xiaobo who was granted medical parole only in the terminal stage of his illness and sent into closely guarded hospitalisation, only seventeen days before his death on 13th July 2017. Political prisoners “released on medical parole” shortly before they died in hospital (where they are still under tight surveillance) should be considered having died during imprisonment for if considered otherwise would be to capitulate to the shameless ruse the CCP regime is using in its manipulation on “legal” procedure to evade liability of its brutal persecution of dissidents. The ruse was so crude in the case of Liu Xiaobo, as Ian Johnson rightly pointed out by:

... Liu's family was told he had cancer in early June. But this was only made public on June 26. I suspect what happened was that authorities suddenly realized that Liu was close to death and how bad it would look if he died in jail [...] And so Liu's captors quickly sent him to a secure hospital – and decided it would be in their interest to make this public, issuing the misleadingly benevolent statement that it was granting Liu “medical parole” (when he in fact he was simply under guard in a cancer ward).

(Johnson, 2017)

The fact that political prisoners continue to die or become terminally ill one after another in Chinese prison does make one worry regarding

the prison living condition the political prisoners are thrown into, the real nature of their treatment in prison, and whether there is any covert State agenda at play to stem out effective dissent. As writer Ian Johnson rightly points out in the case of Liu Xiaobo:

The exact sequence of events may never be understood. Unlike East Germany's Stasi, China's state security apparatus is unlikely to implode suddenly and leave us a trove of information that will make clear exactly who knew what when. But it is clear that Liu fell victim to circumstances that strongly suggest government malfeasance.

(Johnson, 2017)

In the light of such brutality, the Chinese Communist Party dictatorship could not even be in the league of Dobson's "Learning Curve" dictators. For Chinese prisoners of conscience who are already subjected to physical abuse, malnutrition and denial of health care clearly represents a way to further intimidate and punish them and to tell others outside the prison what type of fate awaits them if they continue their activities like Liu Xiaobo did and not toe the Party line like Mo Yan (莫言), the State-celebrated Nobel Literature prize laureate, has always been doing.

4. The State's Culpability and the Dissidents' Perseverance

However, imprisonment can work as well like firing squads – for the almost nine thousand political prisoners³⁸, endless years of incarceration, torture, and high prospect of dying from "accident" (like Peng Ming and environmentalist Lei Yang / 雷洋 in 2016) and from "undetected" or "late detected" illness (like Liu Xiaobo in 2017, Tibetan lama Tenzin Delek Rinpoche in 2015, human rights activist Cao Shunli / 曹順利 in 2014).³⁹

On the side of the persecuted dissidents, to judge the success and failure of their social action or the ultimate impact of rippling demonstration effects however small and insignificant the source could look like at the moment, a right perspective on time is pertinent, as the literary world's most well-known fugitive from dogmatic terror illustrates on the resiliency of art: "The poet Ovid was exiled by Caesar Augustus to a little hellhole on the Black Sea called Tornos. He spent the rest of his days begging to be allowed to return to Rome, but permission was never granted. So Ovid's life was blighted; but the poetry of Ovid outlasted the Roman Empire. The poet Mandelstam died in one of Stalin's labor camps, but the poetry of Mandelstam outlived the Soviet Union. The poet Lorca was killed by the Falangist thugs of Spain's Generalissimo Franco, but the poetry of Lorca outlived Franco's tyrannical regime."⁴⁰ Such time consideration and call for patience was clearly in her mind when President Tsai Ing-wen (蔡英文) of Taiwan (Republic of China), who was included in the decision-makers category of U.S.-based *Foreign Policy* magazine's 100 Leading Global Thinkers of 2016 for "for poking the bear", i.e, for not kowtowing to the CCP dictatorship of Mainland China, and instead telling the latter to "face up to the reality that the Republic of China [i.e. Taiwan] exists and that the people of Taiwan have an unshakable faith in the democratic system"⁴¹, said in her condolences for Liu Xiaobo that she sent on Twitter in both Chinese and English right after Liu's death, which ended with a reference to his 2010 Nobel Lecture in Absentia, "I have no enemies: My final statement"⁴²:

We hope that the Chinese authorities can show confidence in engaging in political reform so that the Chinese can enjoy the God-given rights of freedom and democracy. This will be a turning point in cross-strait relations. The Chinese dream is not supposed to be about military

might. It should be about taking ideas like those from Liu Xiaobo into consideration. Only through democracy, in which every Chinese person has freedom and respect, can China truly become a proud and important country. If the Chinese Dream is democracy, then Taiwan will provide any assistance necessary to achieve this objective. I believe that this is what he would have wanted. Liu Xiaobo had no enemies, because democracy has no enemies.⁴³

Unwillingness on the part of Beijing to take into consideration such socio-psychological makeup of the Hong Kong people as the legacy of long British rule and the Taiwanese who have fought hard and shed blood to gain today's political freedom and civil liberties thus spells the failure of its "soft power" offensive to win the hearts and minds of people in Hong Kong and Taiwan. As Salman Rushdie says in *Joseph Anton*, "We have the freedoms we fight for, and we lose those we don't defend." (Rushdie, 2012, ppb 2013: 528) The right to dissent as the highest form of patriotism is something the long persecuted Mainland Chinese activists for political freedom and civil liberties and their exiled compatriots, the dissidents striving for ethnic self-determination in the country's frontier regions, and the Hong Kongers and Taiwanese have learned through hard lessons, through blood and sweat, and that marks their democratic patriotism apart from the authoritarian patriotism promoted by the CCP Party-State in Beijing that sees political dissent as highly dangerous and destabilising and intensifying persecution of dissidents, even to death while in custody or under State surveillance in the cases such as Cao Shunli, Li Wangyang, Tenzin Delek Rinpoche, Peng Ming, Lei Yang and Liu Xiaobo, as justifiable in the name of maintaining stability and prosperity. This not only applies in the context of Mainland China, Hong Kong and Taiwan, but has wider implications for China's so-called "soft power" drive in the global arena.

One can of course argue that the post-Mao China has changed so much, and that the economic success brought about by ditching Maoist central command economy for rugged capitalist market economy has legitimised the CCP's continued monopoly of political power, but how would one explain the continuing defiance of waves and waves of domestic political dissidents who persist on braving harsh imprisonment and death to fight for political freedom and civil liberties, as well as the reaction of the Hong Kong people, especially the major part of the intelligentsia and the younger generation – that fear for and that distaste towards the CCP regime? How would one explain their reaction towards the death of persecuted dissidents, be they Li Wangyang (李旺陽), Cao Shunli or Liu Xiaobo, and towards Beijing's creeping authoritarian intervention in Hong Kong's governance, be it introduction of brainwashing school curriculum extolling the CCP, time-and-again interpretation of the Basic Law, or kidnapping of Hong Kong booksellers and publishers? How would one explain the eruption of 2014's Occupy Campaign a.k.a. Umbrella Movement?

Not all intellectuals would choose to follow in the footsteps of Liu Xiaobo, of course.

In hand-copying Mao's *Yan'an talks on literature and art*, Mo Yan was just a new scholar following the line of venerated Chinese scholars over the dynasties flashing their loyalty for the infallible Son of Heaven while lamenting the poor masses plight in the hands of the corrupt officials. Thus was drawn the line in the sand going beyond which to challenge the emperor's divine right to rule, his mandate from heaven, would be to bring doom on oneself. It is easy to attribute the scholars "blind" loyalty to the emperor as Confucian culture, but in practical terms, it all boils down to basic survival – a compromise in principle that they have to make while trying to work within the system to sort out

problems and injustices faced by the masses. After all, what can a dead scholar or one who is rotting in jail do for the betterment of the world?

The CCP's argument – one which the cheerleaders are rallying around – is simple: it is demanding the people to abide by a basic compromise – a governing principle some call “market-Leninism”, as described by Nicholas Kristoff and Sheryl WuDunn (1995), or capitalism with Chinese characteristics: what Bertolt Brecht described as “*Erst kommt das fressen und dann die moral*” [morality can only follow food] or Salil Tripathi sums up pithily, “rice bowl 1, free speech 0”.⁴⁴

Witness the continuing great success of the sedulously crafted films and television series on China's past great emperors that coated brutality and despotism with beautiful set, scenery and choreography, intoxicating audience with the prime sense of national greatness by pushing the judgment of social justice and the masses' freedom and dignity into negligible importance (Liu, 2009: 203-204), as a Sicilian proverb says, “*Cu è surdu, orbu e taci, campa cent'anni 'mpaci*” [he who is deaf, blind, and silent will live a hundred years in peace]. In this regard China's prisoner of conscience and Nobel Peace Prize laureate Liu Xiaobo in his book *Daguo chenlun* / 《大國沉淪》 [great nation drowning] (2009) sees the present wave of rising nationalistic *daguo jueqi* / 大國崛起 (the rise of a great nation) sentiments that the CCP is riding on as not simply a result of CCP's ideological indoctrination but rather rooted in the traditional Great Han-ism and the egocentrism of *tiansia* (天下, *t'ianhsia/tianxia*, “under the heaven”) mentality (Liu, 2009: 201-202) which was related to the worldview of “普天之下，莫非王土，率土之濱，莫非王臣” (“all land under the heaven belongs to the Emperor and all people on the land extending to the coast are subjects of the Emperor”, from the classic *Zuo Zhuan* (左傳, *Tso Chuan*) compiled ca. 389 BC).

5. Rule by Law(lessness) and Fascist Parallel

After Liu Xiaobo was sentenced to 11 years' imprisonment on the charge of subversion for his role in co-authoring and distributing the 2008's call for democratic freedoms in China, *Charter 08*, and was awarded the Nobel Peace Prize in 2010, his wife Liu Xia (劉霞) has since been kept under house arrest although she has not been charged with any crime. This lawless confinement appeared to be taking a toll as Liu Xia was admitted in 2014 to a Beijing hospital, apparently suffering from a heart ailment and depression.⁴⁵ As though putting pressure on Liu Xiaobo through persecuting his wife was not enough, the CCP regime also brought fraud charges against Liu Xia's brother, Liu Hui (劉暉), who also was given an 11-year prison sentence. Still fearing for her brother's safety back in China, Liu Xia, who arrived in Berlin on 10th July 2018 having finally been released from her own four-and-a-half-year house arrest, was conspicuously absent from the memorial service in Berlin on 13th July, on the first anniversary of Xiaobo's death.⁴⁶

Despite state pretensions to legality, the "crimes" for which intellectuals such as Ai Weiwei, Chen Guangcheng and Liu Xiaobo have been harassed, condemned, incarcerated and tortured (sometimes to death, as in the recent case of Li Wangyang) do not go beyond testing the limits of restrictive laws and even greater restrictiveness in their application. Restrictions on speech supposedly guaranteed by the PRC's own constitution are routine practice. Unemployed peasant workers are employed by the authorities to provide round-the-clock surveillance of victims whose only crime is to transgress against what the authorities deem the limits of speech or to pursue justice in the courts. The Party does not hesitate to resort to thuggery in order to

enforce arbitrary restrictions. It is little wonder that the internal security budget of the PRC is larger than its defense budget.

(Dirlik and Prazniak, 2013: 34)

Not only that what the Communist Party dictatorship is doing, as Arif Dirlik and Roxann Prazniak comment above, has rendered the PRC a close parallel to classic Fascism, a close comparison has recently repeatedly been drawn, much to the chagrin of the CCP, between the death of Liu Xiaobo and the death of Carl von Ossietzky (who like Liu, also a committed pacifist) whom Adolf Hitler threw into a Nazi concentration camp and died in 1938. They are the only two Nobel Peace Prize laureates who were awarded the prize while being imprisoned and who then died in custody. Liu was granted medical parole on 26th June 2017, apparently to spare the authorities the bad publicity of having him die in jail, and sent into closely guarded hospitalisation only seventeen days before his death. Carl von Ossietzky was sent in May 1936 to a hospital under Gestapo surveillance and died on 4th May 1938 in hospital, while still in police custody, from tuberculosis as well as illness resulted from of the abuse he suffered in concentration camp.

The chilling examples of how PRC now continues to treat its dissidents and political prisoners are not lost either on PRC's exiled dissidents overseas as well as its new subjects in Hong Kong since 1997: for the latter the unending stream of tragedies from Cao Shunli to Peng Ming, from Li Wangyang to Liu Xiaobo, and a future prospect that they never had to considered when they were under British rule has been made more real when China again breached the "one country, two systems" agreement to snatch Paul Lee from Hong Kong soil, and when China could even with the complicity of a client government in Bangkok snatch Gui Minhai from the streets of Pattaya. Such complicity brings

Table 1 The Fate of China's Liu Xiaobo and Nazi Germany's Carl von Ossietzky: A Parallel

<i>Nobel Peace Prize laureate</i>	Liu Xiaobo	Carl von Ossietzky
<i>Time & place</i>	21st-Century China under Communist Party dictatorship	Adolf Hitler's 1930s Nazi Germany
<i>Year of award & circumstances</i>	Awarded Nobel Peace Prize in 2010 while in Chinese prison	Awarded Nobel Peace Prize in 1935 while in Nazi concentration camp
<i>Authorities' response 1</i>	Chinese Communist Party government would not let Liu Xiaobo's wife Liu Xia go to collect the award on his behalf and instead placed her under permanent house arrest	Hitler would not allow a member of Carl von Ossietzky's family to collect the award on his behalf
<i>Authorities' response 2</i>	Mention of Liu Xiaobo's 2010 Nobel Peace Prize (like the 1989 June Fourth massacre) is banned in China	Mention of Carl von Ossietzky's 1935 Nobel Peace Prize was banned in Nazi Germany
<i>Authorities' response 3</i>	Chinese government protested Liu Xiaobo's award (but it celebrated when State writer Mo Yan was awarded Nobel Literature Prize two years later)	Nazi government protested von Ossietzky's award and issued a government decree that forbade German citizens from accepting future Nobel Prizes
<i>Authorities' response 4</i>	Also as a response to Liu Xiaobo's Nobel award, a "Confucius Peace Prize" was launched	Nazi government also responded to von Ossietzky's Nobel award by setting up its own "German National Arts and Science Prize"
<i>Circumstances of death</i>	Liu Xiaobo was granted medical parole only in the terminal stage of his illness and sent into closely guarded hospitalisation, only seventeen days before his death on 13th July 2017	Carl von Ossietzky died in hospital on 4th May 1938 while still in police custody

Sources: "Liu Xiaobo: The man China couldn't erase" (by Carrie Gracie), *BBC News*, 13th July 2017 <<http://www.bbc.com/news/world-asia-china-40585327>>; "人權不比鮭魚？劉曉波死後，挪威的輿論反應"，轉角國際，14th July 2017 <https://global.udn.com/global_vision/story/8662/2583005>.

to light an intricate nexus between domestic governance and foreign (politico-economic-military) policy, an impressive combination of *Innenpolitik* and *Außenpolitik*, with the latter inclusive of PRC's so-called “soft power”, or in most cases more appropriately described by the new term “sharp power” introduced in an November 2017 *Foreign Affairs* article by Christopher Walker and Jessica Ludwig of the Washington, DC-based National Endowment for Democracy, in creating more “friendly” or client states who would support or even collaborate (though CCP's extraterritorial actions) with PRC in the latter's suppression of domestic dissent and buying off critics in the foreign academia.

Figure 1 Extraterritorial Action in Pattaya and Other Mighty Current and Causeway Bay Disappearances



Key to Figure 1:

- (1) 14th October 2015 – Mighty Current publishing company (巨流出版社)'s general manager Lui Por (呂波) logged in for the last time onto the computer of Causeway Bay Books (銅鑼灣書店 , owned by Mighty Current since 2014) before his disappearance (and some sources later reported him being arrested in Shenzhen / 深圳 , Guangdong Province, China, on 15th October). On 29th February 2016, Phoenix Satellite TV broadcasted the clips of Lui Por as well as Lam Wing-kei and Cheung Chi-ping in which all three of them “confessed” their crimes and testified against Gui Minhui. Lui Por, Cheung Chi-ping and Lam Wing-kei were later allowed to return to Hong Kong on 4th March, 7th March and 14th June 2016 respectively.
- (2) 15th or 22nd October 2015 – Mighty Current publishing company's business manager Cheung Chi-ping (張志平) went missing in Dongguan (東莞), Guangdong Province, China.
- (3) 17th October 2015 – Gui Minhui (桂民海), co-owner of the Mighty Current publishing company and shareholder of the Causeway Bay Books, went missing while vacationing in Pattaya, Thailand. Three months later Gui appeared in a video confession and China's State media said in late February 2016 that he was being held for “illegal business operations”. Gui was released from detention in October 2017, but in January 2018 was again abducted by a group of men in plain clothes suspected to be state security agents while on a train to Beijing for a medical examination, and again confessed while under detention for breaking unspecified laws.
- (4) 23rd October 2015 – Lam Wing-kei (林榮基), Causeway Bay Books' manager, was last seen in Hong Kong before his disappearance and his wife filed a missing persons report with the Hong Kong police on 5th November (but some sources later reported he being arrested in Shenzhen on 24th October). Later upon returning to Hong Kong “on bail” in mid-June 2016, Lam confirmed that he was indeed arrested once he crossed into Shenzhen in October 2015, and he suspected that he had already been tailed by mainland agents since two or three years ago.⁴⁷ In response to Lam's revelation, Hong Kong's Chief Executive Leung Chun-ying (梁振英) emphasised that it was unacceptable and illegal for law enforcement personnel from outside Hong Kong, including from Mainland China, to operate in Hong Kong.⁴⁸ After his return to Hong Kong, Lam questioned the Hong Kong government's ability to safeguard the “one country, two systems”, as it did not even rescue a single person among them during their

disappearances into the mainland. Lam said that he and his bookstore colleagues were able to return to Hong Kong simply because they chose to compromise or agree to certain conditions. He further criticized the Hong Kong Security Bureau Minister (Secretary for Security) being useless and of dereliction of duty being unable to protect the safety of Hong Kong's people in Hong Kong, and that he "had nothing to say to" Chief Executive Leung Chun-ying.⁴⁹

- (5) 30th December 2015 – Causeway Bay Books' shareholder Paul Lee (李波 , Lee Bo) went missing in Hong Kong. On 29th February 2016, a mainland news station and Phoenix Satellite TV broadcasted an interview with him in which he said that he was not kidnapped but just went to the mainland to help investigate the crimes involving his company affairs and bookstore shareholder Gui Minhui. He was only handed over back to Hong Kong by the Mainland law enforcement agencies on 24th March 2016.

6. Cross-Border "Sharp-Power" Silencing of Dissidents

For Anastasia Lin (林耶凡), a vocal supporter of China's citizens' human rights struggles, the first sign of trouble came shortly after she won the Miss Canada crown in May 2015, when security agents began visiting her father, who still lives in China, and pressuring him to put pressure on his daughter, who has made clear she would use her crown to continue promoting her Chinese human rights advocacy, to be silent.⁵⁰ On 26th November 2015, Anastasia Lin was barred from boarding her flight from Hong Kong to China's island province of Hainan, the host of 2015's Miss World contest. Due to her human rights advocacy related to China, she being declared a "persona non grata" by the Chinese government can be expected, but it is the particular circumstance in this case which is intriguing. Miss Canada was barred from attending the Miss World contest in China because of her human rights advocacy and no protest was raised from the pageant organisers. "Miss World didn't even try to contact me," as Lin told the global digital business news publication *Quartz*, "These international organisers just give in to

whatever China wants to do, so China continues to do it.”⁵¹ Any sane person would think that the Miss World pageant would have the self-respect to insist that China as the host nation admit every legitimate contestant, otherwise the contest would naturally have to move to another venue. But we no longer live in a sane world where common logic still prevails. “We do not have any control over who is issued a visa. Although regrettable the event would still continue under these circumstances.” A pageant official in London reportedly so answered *The Washington Post*’s query, said the paper in an editorial on 7th November titled “Miss Kowtow 2015”.⁵² Just another example of the kind of pathetic, pusillanimous response that has become increasingly common as China’s global influence, backed by lucrative market and investment opportunities it can provide in a world of economic despair, increases in leaps and bounds.

The CCP regime’s ability to stifle debate abroad is today as successful (including in the cash-trapped overseas academia where Confucius Institutes and joint programmes in China can come as much needed rescue) as its increasingly aggressive campaigns in locking up domestic dissidents and silencing critics at home. A blatant example of such extraterritorial attack on dissent is reflected in the exiled blind Chinese civil rights activist Chen Guangcheng (陳光誠)’s accusation that he was being forced to leave New York University for “as early as last August and September, the Chinese Communists had already begun to apply great, unrelenting pressure on New York University, so much so that after we [i.e. Chen and his wife and son] had been in the United States just three to four months, NYU was already starting to discuss our departure with us.”⁵³ Despite N.Y.U.’s denial of the allegation and its law school’s claim that the fellowship as that given to Chen was always to be for one year, it is probably difficult not to link that turn of events to the then newly opened New York University Shanghai (NYU Shanghai),

the first university jointly operated by China and the U.S., and part of a major initiative the NYU law school calls its Global Network University.⁵⁴

This brings to mind an episode related by Tiananmen student leader Wang Dan (王丹), whose name tops China's Most Wanted list for the 21 Tiananmen Square Protest leaders and who was arrested and imprisoned in 1989 immediately after the massacre and arrested and jailed again in 1995 for his continued political activism and released and exiled to the United States in 1998.⁵⁵ In Wang Dan's memoir 《從六四到流亡》 [from June Fourth to exile] (2012)⁵⁶ he says that there were objections from some quarters among the academics during the approval process for him to teach at Taiwan's National Cheng Kung University in 2011 presumably for fear of adverse effect on the university's academic collaboration with China, leading him to caution about the inclination of "Hongkongisation" in Taiwan (in the form of "not to make the Mainland unhappy" kind of self-constraint taking root) and its impact on Taiwan's political development (Wang, 2012: 395-396). Paralleled to such covert operations to put dissidents overseas under tight Chinese surveillance is the escalating influence the Chinese government is exerting on free academic enquiry overseas, leading to self-censorship of academics critical about China's human rights violations and brutal repression of dissent. To be able to engage in free academic enquiry, and to live the life of an intellectual with dignity, "one had to make the presumption of freedom. And a further presumption: that one's work would be treated as having been created with integrity." (Rushdie, 2012, ppb 2013: 117) It is precisely such presumptions on the part of the world's academia that has been increasingly eaten away in the relentless drive of extraterritorial academic co-optation through huge deployment of funding, propaganda and manpower in the name of academic and educational exchange, including the Confucius Institutes (孔子學院), to move academics to

shy away from speaking openly about human rights violations in China proper and in the frontier regions under CCP's military occupation, CCP's political authoritarianism and suppression of civil liberties and political rights; in short, anything deemed by Beijing as "sensitive subjects". Unbelievable as it is, the latest most remarkable episode of such successful co-optation has to be, threatened with the shutting down of the entire CUP site in China, Cambridge University Press's bowing in 2017 to pressure from Beijing to remove 315 articles and book reviews on its China site from the *China Quarterly* (CQ) dating from the latest months all the way back to the formative years of the journal in the 1960s, most of which relating to topics deemed sensitive to the Chinese Communist Party such as the Cultural Revolution, Tiananmen Square, Tibet, Xinjiang, Hong Kong, and Taiwan, as revealed in an undated screenshot of an email to the *China Quarterly*'s editorial board from the journal's editor that came to light on 18th August 2017.⁵⁷ James Leibold at Australia's La Trobe University, scholar on China and Xinjiang, called CUP's decision "shameful"⁵⁸, and Georgetown University professor James Millward wrote in an open letter that CUP's action represented "a craven, shameful and destructive concession" to the Chinese government's "growing censorship regime" (Millward, 2017)⁵⁹. After a weekend of intense international backlash from academics and activists including a petition signed by hundreds of academics and facing boycott of its publications, CUP reversed its decision and informed the *China Quarterly* editor that the articles would be restored.⁶⁰ As Tim Pringle, editor of the *China Quarterly*, succinctly put it, the incident indicated "a deeper underlying issue around the contradiction between academic freedom and the allure of the Chinese market".⁶¹

7. Chinese Communist Party-State's Global "Sharp Power" Outreach

Walker and Ludwig (2017) are correct in debunking the application of Joseph Nye's "soft power" concept to call the influence efforts from authoritarian countries (they were referring mainly to the post-Cold War China and Russia), as "some of their techniques, although not hard in the openly coercive sense, are not really soft, either", and autocratic states "are not necessarily seeking to 'win hearts and minds,' the common frame of reference for soft power efforts, but they are surely seeking to manipulate their target audiences by distorting the information that reaches them."

Contrary to how Joshua Kurlantzick labelled it in his 2007 book *Charm offensive: How China's soft power is transforming the world*, Walker and Ludwig (2017) see that the influence wielded by these post-Cold War authoritarian giants through initiatives in the spheres of media, culture, think tanks, and academia is neither a "charm offensive" nor an effort to "share alternative ideas" or "broaden the debate", as it is "not principally about attraction or even persuasion", but instead centres on "distraction and manipulation". This is not Nye's "soft power", but "sharp power" as Walker and Ludwig call it – a tool with which these "powerful and ambitious authoritarian regimes, which systematically suppress political pluralism and free expression to maintain power at home, are increasingly applying the same principles internationally", for instance in the case of China tens of billions of dollars has been spent over the past decade "to shape public opinion and perceptions around the world, employing a diverse toolkit that includes thousands of people-to-people exchanges, wide-ranging cultural activities, the development of media enterprises with global reach, and educational programs" including the most notable, ever-expanding network of Confucius Institutes.

It is the application of such “sharp power” that an intricate *Innenpolitik-Außenpolitik* nexus is imperative wherein China’s *Außenpolitik* that focuses not only on the projection of an image of revival, power and glory – in both economic and military terms – to feed the nationalist craving for self-pride among its domestic audience for the purpose of regime legitimation but also on facilitating extraterritorial suppression of dissent and buying off foreign critics through the exercise of what the CCP regime itself considers “soft power”, including via the Confucius Institutes, a dubious “soft power” outfit whose real role is to strengthen the *Innenpolitik* of this overshadowing Hobbesian *Leviathan* in intensifying domestic repression of political dissent. In this light it can be noted that there is a close parallel between Xi Jinping’s authoritarian China and Ming Dynasty’s Yong-Syuan (Yung-Hsüan/ Yong-Xuan) or Yongle Era of Prosperity (永宣盛世 / 永樂盛世) and Cing (Ch’ing/Qing) Dynasty’s Kang-Yong-Cian (K’ang-Yung-Ch’ien/ Kang-Yong-Qian) or Kang-Cian Era of Prosperity (康雍乾盛世 / 康乾盛世) which also represent eras in which government suppression of dissent reached its peak in Chinese history.

8. Behind Xi Jinping’s “China Dream” and CCP’s Vision of a New Chinese Golden Age

The foundation of Chinese culture lies as other major cultures of the world at the beginning of the history of the human intellect, the birth of the human freethinking, during 6th Century BC, that laid such a strong foundation of our ability to think critically based on scientific evidence, that despite the various interludes of obscurantist, absolutist anti-currents in the long tortured history of our species, the spirit of scientific humanist rationalism was able to strive against all odds. That is the time of the career of Thales of Miletus (Θαλῆς ὁ Μιλήσιος), the scientist-

philosopher (c. 624 – c. 546 BC) who successfully predicted the sun eclipse in the year 585 BC – the first identified in the line of the Ionian-Milesian (Μίλητος, Ἴωνία) freethinkers, scientists and philosophers. That era marked the beginning of the scientific humanist rationalism, a period so unique in human history where human intellect went into full bloom all over the world despite the constraints of the social and technological context of that period, from the Greek scientist-philosophers to Athenian participatory democracy, from Egypt to Asia, from Siddhārtha Gautama (Shakyamuni Buddha) to Confucius (孔子), Laocius (老子) and their fellow wandering philosophers – before the tragic interludes of political and religious orthodoxy relentlessly, again and again, chipped away the unique human gift to think critically and creatively, before the tyranny of divine infallibility retarded the wonderful human ability for improvement and renewal based on scientific evidence. Yet despite the fact that the cornerstones of traditional Chinese culture can be found in this era that represents the root of human critical faculty, freethinking, and freedom itself, despotism is ironically also very much at its heart. While the Lao-Zhuang (老莊 , Lao-Chuang) philosophy has been embraced by various anti-authoritarian and anarcho-syndicalist movements, Confucianism (儒家), Legalism (法家), Mohism (墨家), the *Yinyang* School of Naturalists (陰陽家) and most others among the Hundred Schools of Thought (諸子百家) that began to flourish during this period all provided the theoretical basis for safeguarding the interests of ruling groups. The views of the supremacy of the monarchy, the privilege of the monarchy, and the monarch as “the true dragon and the Son of Heaven” (真龍天子) all contained the content of despotism and became the theoretical basis for ancient rulers to implement cultural autocracy and stifle political dissent. The authoritarian monarch not only has to rule his subjects, but also must further control their thoughts.⁶²

Passing through successive periods of autocracy and political repression over two thousand years – from the First Emperor of Cin (Ch'in/Qin) Dynasty (秦始皇帝)'s "burning books and burying Confucianism scholars alive" (焚書坑儒) and Emperor Wudi (Wu-ti) of Han Dynasty (漢武帝)'s "dismissal of one hundred schools and solemn worship of Confucianism" (罷黜百家, 獨尊儒術) through the gradual further development of cultural autocracy including brutal persecution of dissenting monitory officials, historians, poets and Buddhists amidst flourishing of literature, historiography, metaphysics and growth of Buddhism on Chinese soil during the period of the Wei, Zin (Chin/Jin) and Southern and Northern Dynasties (魏晉南北朝), to the Sui (Sui) and Tang (T'ang) Dynasties (隋唐) and the Northern and Southern Song (Sung) Dynasties (南北兩宋) that saw the intensification of persecution of dissenting monitory officials, literati, censorship and banning of studies and books, as well as the imperial court's implementing the imperial examination as a means to strengthen the control of intellectuals, and the official compilation of copious encyclopaedic volumes that further strengthened the monarchy's promotion of cultural autocracy.⁶³

Emperor Taizong (T'ai-tsung) of Tang Dynasty (唐太宗), who was seen as an emperor who above all others promoted the ideals of freedom of discussion and freedom to admonish, himself spoke of the risks that remonstrators and monitory officials had faced, and extolled those who had braved the "backward-facing scales" (*nilin* / 逆鱗) under the throat of the imperial dragon: "I often ponder this, whenever an official wants to remonstrate, he always fears the calamity of losing his life, in a way no different from proceeding to the cauldron [to be boiled] or facing the naked blade." (McMullen, 2013: 101).

Nevertheless, suppression of dissent while often brutal during the 1,500 years of Cin Dynasty to Song Dynasty period has not seen its peak until the advent of the Ming and Cing (Manchu) Dynasties (明清). During these two last imperial dynasties that ruled China the brutal persecution meted upon dissenting intellectuals far surpassed that of any dynasty before them, with speech control vigorously strengthened and literary inquisition reaching its climax.

From a buoyant perspective, a parallel can readily be discernable between the so-called *Yongle Shengshih* (永樂盛世, *Yung-le Sheng-shih* / *Yongle Shengshi*) and *Kang-Cian Shengshih* (康乾盛世, *K'ang-Ch'ien Sheng-shih* / *Kang-Qian Shengshi*) – the “eras of prosperity” during the reign of Ming Emperor Chengzu (明成祖, Ch'eng-tsu) and that of Cing Emperors Kangsi (康熙, K'ang-hsi/Kangxi), Yongzheng (雍正, Yung-cheng) and Cianlong (乾隆, Ch'ien-lung/Qianlong) – and Xi Jinping's “China Dream” through a constructed *Innenpolitik-Außenpolitik* nexus between the impressive outreach of China's economic power now framed under the grand global plan of the Belt and Road Initiative (BRI) being bent on making the global economy a friendly place for Chinese commerce and increasing Chinese diplomatic influence leading to an imminent world superpower status, as well as extracting complicity from foreign governments in assisting the PRC's domestic oppression on political freedom and civil liberties to reach beyond the country's borders.

8.1. Sea and Land Expedition of the “Yongle Era of Prosperity”

8.1.1. Sea route

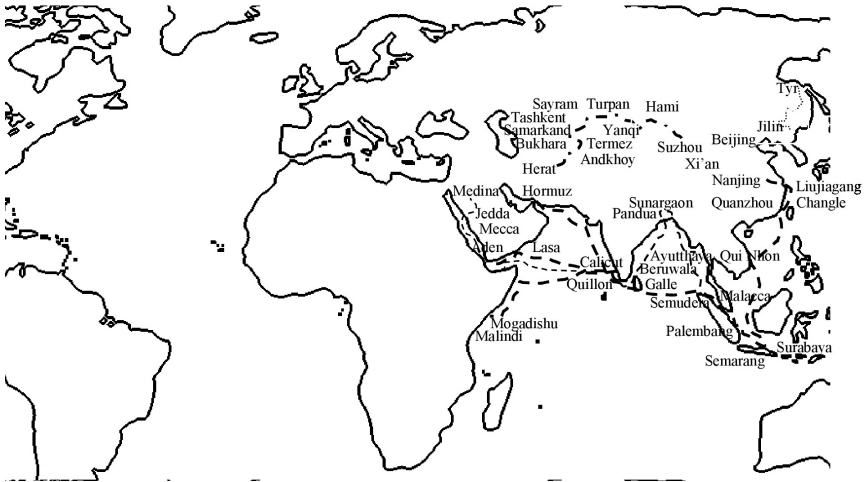
In the third year of Yongle (1405), Ming Emperor Chengzu sent the eunuch official Zheng He (鄭和, Cheng Ho)⁶⁴ as the ambassador, Wang

Zinghong (王景宏 , Wang Ching-hung / Wang Jinghong) as Admiral Zheng's deputy, leading more than 27,800 sailors, officers and soldiers on a fleet of 62 ships, departing from Suzhou (蘇州), to what is today's southern Vietnam, Malacca, Java, Sumatera and Ceylon, and returned to the country via the west coast of India. Over two decades from 1407 to 1433, Zheng's fleet successively set sail for seven times, reaching more than 30 countries, the furthest including the east coast of Africa, the Red Sea and Mecca.

8.1.2. Land route

Emperor Chengzu also dispatched officers Chen Cheng (陳誠 , Ch'en Ch'eng), Li Da (李達 , Li Ta) and others as envoys to various countries in the "Western Regions" (i.e. Central Asia), such as the Timurid Empire, Turpan, Shiraz (in Persia), etc. that exchanged envoys with and observed tributary relations with the Ming empire. Such tributary system involving political, garrison and trade exchanges that Ming Dynasty during the Yongle era (1402-1424) with these Central Asian countries has even far exceeded the achievements of the earlier dynasties of Han and Tang, according to the the Cing-Dynasty historical record 《明史》 (*Ming History*). Historians also considered Yongle years' achievement as far exceeding that of the "Kang-Cian Era of Prosperity" (1684-1799) that came two centuries later. Also during Yongle Emperor's reign, Isiha (雨孟由 / 亦失哈 , an ethnic Jurchen eunuch) led a fleet of 25 ships with 1000 men aboard sailing down the Sungari (松花江) and into the Amur (黑龍江) in 1411 and established a Nurgan Regional Military Commission near the present-day Tyr (Тыр) in Russia's Khabarovsk Krai (Хабáровский край), and again set sail on a second expedition to the lower Amur in 1413-1414.

Figure 2 Ming-Dynasty Expeditions during Emperor Yongle's Era of Prosperity (15th Century)



Key to Figure 2:

- Zheng He's maritime route
- · - · - · - Chen Cheng's overland route
- Isih's riverine route

Source: Data from Menkov (2010)⁶⁵.

8.2. Resurrecting the Yongle Golden Age

During the Yongle years (1403-1424) of Emperor Chengzu the territory of the Ming Dynasty, according to the records of the Qing Dynasty's official *Ming History*, stretched "from the northern desert to the southern sea, from the east where the sun rises to the west where the sun sets ... its vastness went far beyond those of the Han and Tang Dynasties". At that time, economically and militarily the Ming Dynasty was also the world's top superpower. With CCP-ruled China's economic and military power reaching if not yet global, at least regional superpower status

Figure 3 President Xi Jinping's Belt and Road Initiative (21st Century)



Note: For Key to Figure 3 and further details of this original BRI/OBOR blueprint, please refer to Note 66.⁶⁶

Source: Maps 1-9 in “Do as Rome does: China is building the most extensive global commercial-military empire in history” (by Steve LeVine), *Quartz*, 9th June 2015.

today, and after nearly 3,000 delegates to China’s ceremonial parliament National People’s Congress – which has not voted down a Communist Party decision in its 64-year history – cast ballots on 11th March 2018 in Beijing’s Great Hall of the People, with a 99.8% approval rate, to amend the nation’s constitution to allow Xi Jinping to potentially remain president well past 2023, when he was due to step down,⁶⁷

President Xi Jinping, like past emperors of imperial China, can now officially rule China for as long as he would like, and bring China to a modern *Yongle Shengshih* with his “China Dream” constructed through his grand Belt and Road Initiative first proposed in 2013. Indeed, a CCP reborn since Deng Xiaoping’s audacious reform initiative, transformed in nature into a curious chimeric hybrid some scholars refer to as CCCMMMP (Chinese Communist Confucian Marxist Maoist Mercantilist Party)⁶⁸ or CCCMMMP (Chinese Communist Confucian Marxist Maoist Mercantilist Plutocratic Party), in combination with the ambitious activities of Chinese companies, is remaking the country quickly into history’s most extensive global commercial-military empire⁶⁹, according to Steve LeVine, adjunct professor in the Security Studies Program at Georgetown University and the global digital business news publication *Quartz*’s Washington correspondent (see Figure 3).

8.3. A New Tributary System?

During the time of Emperor Chengzu, cloth, silk and cotton became important sources of taxation, reflecting the development of economic crops at that time, and the Yongle and subsequent Syuande (宣德, Hsüan-te/Xuande) years (together known as *Yong-Syuan Shengshih* / 永宣盛世) were the heyday of the Ming Dynasty porcelain industry. *Ming History* in its Volume 80 records the prosperity of commercial development along the canal that was dredged during the Ming Dynasty which promoted the development of the handicraft industry. Besides, the private sector mining and metallurgy is also developing steadily and shipbuilding industry ranks in the forefront of the world, with many types of shipbuilding in various places, including warships, windships, etc.

When Emperor Chengzu first assumed the throne, he made some adjustments to the policies of Emperors Hongwu (洪武帝 – first, founding emperor of Ming) and Zianwen (建文帝, Chien-wen/Jianwen – second Ming emperor) eras, and proposed the principle of “broad and moderate rule of governance”. He used the imperial examination system and compilation of books to win over the landlords and scholars, and promoted Confucianism to replace the over-inclination towards Buddhism and Taoism that took place during the early Ming Dynasty. In choosing bureaucrats the emperor strived for talent, and thus set a strong ideological and organisational foundation for subsequent political, economic, military, and cultural progress. Emperor Chengzu also paid attention to social and economic recovery and development, recognising that the root of national peace and stability lay in meeting the needs of families and individuals – *zia zi jen zu* (家给人足, *jia ji ren zu*) – and people living in at least moderate prosperity – *sih min siao kang* (斯民小康, *si min xiao kang*). He encouraged all localities in the country to cultivate idle but arable land, implemented the policy of population relocation, supervised the people in farming and other methods to promote production, and paid attention to measures such as tax relief and subsidies to protect the farmers from bankruptcy. Emperor Chengzu also set extremely strict demands on all local bureaucrats, requiring them to have a deep understanding of the people’s situation and to reflect the sufferings of the people to the court at any time.

In diplomacy, as mentioned earlier, Emperor Chengzu sent Chen Cheng to the *Siyu* (西域, *Hsi-yü/Xiyu*) (“Western Region”, i.e. Central Asia, more specifically the Timurid dynasty at Samarkand and the Tartar Mongol states), and Admiral Zheng He on expeditionary voyages to the *Siyang* (西洋, *Hsi-yang/Xiyang*) (“Western Sea”, i.e. Southeast Asia, South Asia, Western Asia, and all the way to East Africa) from 1405 to 1433 (see Figure 2), with larger ships among those that he commanded

stretching 120 meters or longer and carrying hundreds of sailors on four tiers of decks. This greatest maritime expedition in Chinese history promoted China's unprecedented exchanges with foreign countries and the demonstration of the power of the Chinese empire, as well as the establishment of the well-known tributary system that some scholars see the current CCP leaders are bending on recreating – see, e.g., Martin Jacques who in his 2009 book *When China rules the world* predicts that the world might see the return of the long-lost tributary system in eastern China and perhaps even across the globe.

9. China's New Golden Age or Creation of Global Debt Trap for the Developing World

Martin Jacques's prediction, infamous as it is, might not be totally whimsical, as recent warning of former US Secretary of State Rex Tillerson gave to the world about the dangers of being seduced by the siren call of Chinese loans under the Belt and Road Initiative supporting big infrastructural projects, as while "China offers the appearance of an attractive path to development" for emerging markets around the world, borrowers should "carefully consider the terms" of agreements with Chinese lenders, and to take care "not to forfeit sovereignty" by "trading short-term gains for long-term dependency".⁷⁰ The executive director of the Hong Kong-APEC Trade Policy Study Group David Dodwell's *South China Morning Post* (Hong Kong) op-ed also refers to the Washington-based Center for Global Development researcher John Hurley's report *The debt implications of the Belt and Road Initiative* that concludes that 23 of the economies embraced by the BRI are "at risk of debt distress", and that among them eight (Pakistan, Laos, the Maldives, Mongolia, Djibouti, Montenegro, Tajikistan and Kyrgyzstan) will face the additional risk of debt distress from future BRI-related financing.

The implication of the report is that cases like “Pakistan, gorging on US\$62 billion worth of projects that are being 80 per cent funded by Chinese lenders” or Sri Lanka, “ringing its hands over the need to give control over its ambitious Hambantota Port to China Merchants Port Holdings in a debt-for-equity swap because it could not afford interest repayments” shows that BRI projects could be putting impoverished economies in peril.⁷¹ Nevertheless, the Hurley report also notes that “China has demonstrated a willingness to provide additional credit so a borrower can avoid default”, for example a 15 billion yuan (US\$2.3 billion) loan to Mongolia in 2017, or a \$465 million 25-year loan at 2.3 per cent interest with an initial five-year grace period to support the US\$6 billion China-Laos railway, hence showing no evidence of extortion, according to David Dodwell.⁷² Such observations seem to support CCP government’s repeated claims that BRI aims for win-win results of economic gains both for China and for those other countries participating in it and rebuttal of what it has alleged as the Western powers’ unfounded accusation of its using BRI to achieve Chinese economic domination and exploitation of other developing countries and of the initiative having a hidden long-term military agenda.

9.1. The “New Normal” and BRI

One of the reasons for China’s BRI is of course as part of its “New Normal” shift to accommodate declining growth, factory closures, and excess capital and rising unemployment. Exporting Chinese capital and labour through BRI investments in developing countries that crave for more infrastructural development is thus also a way to divert growth-decline-driven discontent to opportunities abroad. There is a parallel to this from the Yongle Era of Prosperity too. During the civil war period of 1399-1402 during the Ming Dynasty that resulted in a famine, Emperor Chengzu stepped up the grain transportation from south to north and

expanded the demand for navy and army. With the ending of the crisis, the demand for the navy declined. In order to avoid naval rebellion, Emperor Chengzu thus arranged for them to follow Zheng He's maritime expedition.

9.2. Ultimate Motive of BRI

So far there has not seemed to be evidence to refute CCP government's arguments. However, it is also evident that through such Chinese aid and investments and BRI projects China has been able to strengthen its influence over many developing countries, most evidently among the ASEAN countries where China has increasingly been seen as an indispensable ally in propping up various increasingly autocratic regimes and kleptocratic leaders – military junta-dominated Thailand and Burma, Hun Sen's Cambodia, Malaysia under Prime Minister Najib Razak and his National Front coalition (up until their 9th May 2018 electoral defeat) – not so much as to significantly tilt these countries away from the West to China but at least to cooperate with China in its persecution of its exiled or offshore dissidents, e.g. the kidnapping of Causeway Books booksellers and ASEAN countries' deportation of exiled Uyghurs back to China. Dissidents are today no longer feeling safe while in exile outside China as the tentacles of CCP's White Terror are now reaching far and wide. After Thailand's military junta government on 13th November 2015 put China's exiled dissident cartoonist Jiang Yefei (姜野飛), dissident and human rights activist Dong Guangping (董廣平) and Gui Minhai (the abovementioned Hong Kong publisher of books critical of the Chinese government who went missing on 17th October 2015 while vacationing in Pattaya, Thailand) on a plane chartered by the Chinese government and deported them to China, Chinese dissidents who were in exile there told reporters that they were in fear of returning to where they were staying lest they meet the same as

fate as at least four Chinese dissidents there who then recently either disappeared (presumably snatched off the streets by Chinese agents) or were arrested "... only to resurface back in China in the custody of the government".⁷³

The Thai government's policy choice to please the Chinese government by helping the latter to export its domestic repression across its borders has been long recognised. In July 2015, Thailand deported nearly 100 members of Muslim Uyghur illegal immigrants who were wanted by China back to the PRC, drawing condemnation from the United States and human rights groups and sparking protests in Turkey, home to a large Uyghur diaspora. New York-based Human Rights Watch said the Uyghurs faced "grim" maltreatment back in China, and Sophie Richardson, China director for HRW stated that "Thailand should make it clear it won't further violate international law by immediately announcing a moratorium on additional deportations of Turkic people to China."⁷⁴

Thailand is not the only member of ASEAN to do so, though, nor she is the first. In 2011, Malaysia detained 16 Uyghur illegal immigrants and deported 11 back to China, while the other five managed to register with the UN refugee agency UNHCR and were released into its custody. HRW said a Uyghur forcibly returned to China by Malaysia in 2011 was sentenced to six years in prison on charges of separatism, the same charge invoked to sentence the economist and ethnic Uyghur rights advocate Professor Ilham Tohti to life imprisonment in 2014. Then on 31st December 2012 Malaysia deported six more Uyghurs back to China. HRW said the men registered with UNHCR in Kuala Lumpur while in detention and were to have their claims reviewed when they were deported, and the UNHCR said in a statement that it had sought the men's release into its custody while their claims were being assessed and regretted that they were deported despite its intervention. HRW said the

forced return of these Uyghurs to PRC was a grave violation of international laws and Muslim minority Uyghurs repatriated to China from elsewhere in the past have expressed fear of torture, long jail terms or the death penalty.⁷⁵ Cambodia, another ASEAN member country, also forcibly deported back to China 20 Uyghur asylum-seekers, nineteen of whom had fled to Cambodia from Xinjiang in the wake of the July 2009 riots in the city of Urumqi, fearing persecution by the Chinese authorities. UNHCR was in the process of reviewing their applications for refugee status when Cambodia succumbed to pressure from the Chinese government to deport the 20 individuals, including two children. The Cambodian government's action to deport them back to China attracted international condemnation as fears mount that these individuals would suffer severe human rights violations upon their return.⁷⁶

China has indeed been going global not only in her trade and investments but also in her pursuit of critics with the complicity of foreign governments which are tantalised by lucrative trade and investment relations with China.

It is such an irony that in Xi Jinping's speech at the Interpol Meeting held in Beijing in September 2017 the Chinese president expressed his strong support for Interpol. Interpol has increasingly been accused of being constantly made use of by the authoritarian regimes including China. Parallel with its intensifying persecution of dissidents since Xi Jinping came to power in 2012, China's CCP government has been making use of the Interpol as its political tool to aid its suppression of dissent. According to CCP's official *Fazhi Ribao* (法制日報, *Legal Daily*), every year there are 200 fugitives wanted by China's government through the Interpol.⁷⁷ Although many of these wanted people are fugitives involved in corruption, Beijing is increasingly targeting political dissidents. As Human Rights Watch wrote to Interpol's

secretary-general Jürgen Stock in an open letter, over the years Beijing has been monitoring dissidents and human rights activists on the one hand, and on the other hand through the Interpol issuing red warrants for political purposes, for example, to arrest the Uyghur rights activist Dolkun Isa (currently secretary-general of the World Uyghur Congress), who fled China and now has German citizenship. Though no evidence has linked Dolkun Isa to any terrorist activity or violence, he is considered a terrorist in China and is wanted by the Interpol with a red warrant which increasingly represents a way the CCP dictatorship is extending its tentacles out of the country to intimidate and silence exiled dissidents.⁷⁸

From a historical perspective, we can indeed find parallel of such motives in Emperor Chengzu's sending Zheng He on maritime expedition.

Various diverse reasons have been offered by historians for the maritime expedition of Admiral Zheng He. Many Ming Dynasty sources believed that Zheng He's voyages were to find the whereabouts of Emperor Zianwen, i.e. Emperor Hueizong (惠宗, Hui-tsung/Huizong), Ming Dynasty's second emperor who was overthrown by his uncle who then enthroned himself as Emperor Chengzu. Suspecting that the deposed Emperor Zianwen might have escaped abroad to the "Western Ocean", Emperor Chengzu thus ordered Zheng He and other officials to build a hundred large ships and to lead an army of more than 27,000 soldiers into the oceans to search for the probably escaped former emperor, according to these Ming historians. Some other historians pointed out instead that Zheng He's voyages to the "Western Ocean" was to search and eliminate the remnant of the forces of Zhang Shihcheng (張士誠, Chang Shih-ch'eng/Zhang Shicheng) who led a powerful anti-Yuan (元, Yüan) Dynasty (the Mongol dynasty in China) uprising towards the end of that dynasty. Following the death of Zhang

Shihcheng in 1367 after being captured by the forces of Emperor Taizu (明太祖, T'ai-tsu), the founding emperor of Ming Dynasty, Zhang's subordinates joined forces with the Japanese to threaten the security of the coastal areas. Hence, Emperor Chengzu decided to send Zheng He's fleet to search and eliminate the threat. Yet there are also other historians who thought that the reason for Zheng He's sailing the "Western Ocean" is actually to form alliance with India to restrain the Timurid Empire from its back so as to impede its eastward advance, as the Timurid Empire had launched large-scale attack on China during the early years of the Ming Dynasty.

Hence besides the more generally known reasons for promoting foreign trade and commerce, both government and private, including tributary commerce, as well as to show to the world Ming China's greatness and prosperity that Martin Jacques sees today's CCP-ruled China is recreating, it can be argued that the overriding motive driving the "China Dream" of Xi Jinping (who now can technically rule for life, not much different from imperial China's emperors) through the grand Belt and Road initiative is to fortify the rule of the CCP, to maintain its perpetual political monopoly. The much-touted world domination by China watchers and China studies scholars whereby China is set to drive the West into decline, while not to dismiss such potential scenario completely, could still be considered farfetched doomsaying at the present stage, and the Chinese leadership's repeated rebuttal of such "China threat" theory as a ploy created to hurt Chinese interest could at the present be sincere.

In an article published on 28th May 2018, Xiang Songzhen (向松祚), council member and deputy director of the International Monetary Research Institute of the Renmin University of China (中國人民大學) and an advisory board member of the independent think tank Official Monetary and Financial Institutions Forum (OMFIF), warned China's

academic, political, and media circles not to keep speculating that China would challenge the United States, how the renminbi (人民幣) would challenge the dollar's hegemony, and how China is set to replace the US as the world's leader, how the United States has declined, how the 21st century is China's century, and how China is standing high now at the centre of the world stage. The fact is, Xiang points out, China still lags far behind the United States in many aspects, especially that many of China major livelihood issues have reached the brink of danger. He urges those who are indulging in such wishful thinking to just leave the few megacities of Beijing, Shanghai and Guangzhou and take a look at the vast countryside, or leave the centre of Beijing and take a look outside the Sixth Ring, and see how those migrant workers are working ten hours a day, six days a week, and to take a look at those children who are unable to go to school, to witness the extent of poverty of many rural families, and to look closely at China's education and medical conditions (Xiang, 2018). China's fundamental problem is not even Sino-US relations. The country's fundamental goal is not to challenge and to replace the United States as leader of the world, but is to make sure that the more than one billion Chinese citizens could have access to education, to medical care and to aged care.

Xiang's warning resonates with the comments made by Liu Yadong (劉亞東), editor-in-chief of the *Keji Ribao* (科技日報, *Science and Technology Daily*), which comes under the supervision of China's Ministry of Science and Technology, at a science and technology seminar in Beijing a month later. "The large gap in science and technology between China and developed countries in the West, including the US, should be common knowledge, and not a problem," Liu said, "But it becomes problematic when the people who hype [China's achievements] ... fool the leadership, the public and even themselves."⁷⁹

While not denying that future world domination has ever crossed the Chinese leadership's mind, the present overriding concern of the CCP leadership is still how to struggle to tackle domestic economic, social and ethno-political problem, of how to keep happy its 1.4 billion citizens (who are still deprived of electoral choice) whom it desperately needs to support its performance-based legitimacy, and of how to suppress by all means possible political dissidents and civil rights activists who are challenging CCP's monopoly of political and social discourse, and at least at the present stage even the CCP regime's foreign policy posturing, economic, diplomatic and military, represents more as a means to address this overriding, overarching domestic concern. Just like Emperor Chengzu who came to power by violently overthrowing his nephew Emperor Hueizong and bloodily cleansing the court of officials deemed loyal to his nephew, Xi Jinping's CCP regime that continues to cling on to power by denying Chinese citizens electoral choice is essentially psychologically insecure. Aung San Suu Kyi once said: "It is not power that corrupts but fear. Fear of losing power corrupts those who wield it and fear of the scourge of power corrupts those who are subject to it." It was the fear of losing power that propelled Emperor Chengzu to usher in one of imperial China's most politically repressive era while bringing imperial China to its most economically prosperous period of *Yongle Shengshih* when China's imperial glory shone across the world with delegations led by Chen Cheng and Li Da brought in tributary allegiance from Central Asia, and Admiral Zheng He taking a maritime route and spreading the Heavenly Court (天朝)'s glory and authority as far afield as eastern Africa; it is the same today that propels Xi Jinping's CCP regime to perfect its political repression and persecution of dissidents that pales his predecessors and bring China towards a perfect police state while riding on China's miraculous economic performance he throws out to the world through the Belt and Road Initiative – the

megaproject that will cost US\$4 to 8 trillion and affect 65 countries that by the time of its planned completion around 2049 will stretch from the edge of East Asia all the way to East Africa and Central Europe and impact a long list of countries that account for 62% of the world's population and 40% of the world's economic output (Desjardins, 2018).

While China wants the world to view BRI, the grand scheme spanning nearly 70 countries and involving somewhere from 700 to 2000 infrastructural projects, as China's generous, benign offer with a win-win motive to "accelerate development across Central Asia, Southeast Asia, India, East Africa, and the Middle East" and "reenergize a moribund Europe with railways, highways, waterways, pipelines, harbors, airports, fiber optics, power grids, and industrial parks" (Case, 2018: 21), there is no lack of sceptical or even hostile assessment of the grand scheme. One is seeing the BRI as a state-driven mercantilist, state capitalist, even neo-imperialist agenda to provide release for China's industrial over-capacity, with uneven contracts designed expressly to benefit CCP-ruled China.

Take the case of Malaysia.

9.3. The Case of Malaysia and BRI: Interest and Policy Convergence

In Malaysia, the authoritarian CCP has always been considered the bringer of a "strong China" glory that benefits the ethnic Chinese in the country and cozying up to the CCP was a must to win ethnic Chinese votes not only for the ethnic Chinese component party, Malaysian Chinese Association (馬華公會), of the long-ruling coalition Barisan Nasional (BN, i.e. "National Front", that ruled since the country's independence in 1957, before 1970 as the "Alliance", before it was voted out of power in the 9th May 2018 general elections) but even for the long-considered invincible coalition as a whole. CCP's authoritarianism and repression on dissent was not a concern. They

could even be a model to emulate for political control over dissent and restriction of the opposition parties' influence although the Malaysian ruling coalition does not enjoy the fortune of not having to face popular elections like the CCP does.

Ever since the most high-level visit by the ruling UMNO-led BN coalition with a huge delegation to the CCP in September 1994 (reciprocating a relatively low-key visit by a CCP delegation, led only by the deputy director of CCP's Central Liaison Department, to UMNO in early 1992), CCP and BN had developed a lasting ruling party-to-ruling party relationship that excluded completely the opposition parties (which are non-existent in PRC anyway). It is interesting to observe the further strengthening of such relations between the ruling regimes of these two long-lasting one-party dominant systems (one without electoral democracy, one with relatively free but unfair elections): a close cooperation and strategic partnership between two authoritarian/neo-authoritarian regimes, in sharing a common priority in perpetuating political dominance. It is noteworthy that when the then Malaysian prime minister Najib Razak brought home US\$33.6 billion in deals after he visited China in November 2016 he had been criticized by the opposition who accused the ruling coalition of playing the China card to win votes as well as to cover up corruption scandals to the degree of selling out Malaysia's sovereignty,⁸⁰ similar to the observation by Hewison (2018) of the Thai junta government's using "China deals" to please domestic audience and gather support by demonstrating its foreign relations capacity in producing economic and international strategic benefits. In this regard, also particularly noteworthy is the visit of Datuk Seri Tengku Adnan bin Tengku Mansor, secretary-general of the ruling United Malays National Organization (UMNO), to Beijing to sign a historic CCP-UMNO MoU. According to Tengku Adnan in an interview by *Nanyang Siang Pau* on 6th August 2010, this is rare and

extraordinary, as CCP does not usually sign MoU with other countries' political parties, even ruling parties.⁸¹ According to Tengku Adnan,

I hope that we (UMNO) will send a delegation to China to study their system and they will send a delegation to participate in UMNO's annual congress. UMNO and CCP are both political parties with a long history, and similar objectives of establishing them: the fight for the interests of the people ... *This trip to China made me believe that China must practice one-party dictatorship, as multi-party political system will damage China's stability. If multi-party political system is implemented in China, the people will put their heart and mind in politics and there will not be progress. Although all are Chinese citizens, there are different races, religions and cultures in different areas and regions of China which make achieving harmony difficult. Hence I believe that one-party dictatorship is best for China and is in line with China's national conditions too.* Although UMNO and CCP have different ideologies, that doesn't mean that there is nothing that we can learn from each other. UMNO and Barisan Nasional are attentive to people's welfare from the democratic system – we have been colonized by Great Britain and this is the thinking left to us by colonialism. Some regions of China had also been colonized before, and on the whole, CCP is also attentive to people's welfare. These constitute our common ground. We can ingest their essence, they can also learn the way we live in harmony. They know our ethnic problems, and they think that they can learn from us.⁸²

Even if we keep in mind the increasing degree of political convergence⁸³ and empathy between two long-lasting one-party dominant states – especially with Malaysian ruling BN coalition's turning even more authoritarian with heavier misuse of public instruments including police

force and anti-corruption agency to try to destabilize the opposition and opposition-held states after its unprecedented electoral upset in the 2008 “political *tsunami*” and its losing the popular vote in the following 2013 elections – it is still noteworthy to see a top leader of the then ruling coalition of an electoral democracy so openly and unreservedly condoning with apologist’s statement as such a political choice-denying one-party authoritarian system.

9.3.1. BRI’s reach in Malaysia

The unabashed way the Najib Razak has brought Malaysia under China’s shadow was astounding for there is a major China-funded project in nearly every state in the Malaysian federation, testifying to how China had been seen as a saviour, economically and politically, of that kleptocratic regime that was bringing the country closer by the day to financial ruin, regardless of the fact that the large sum of money China lends Malaysia must one day be repaid by this generation and next (Case, 2018: 23). The main China-funded projects in Malaysia include: (1) East Coast Rail Line (ECRL) project, the largest of all – a high-speed railway traversing Peninsular Malaysia’s east coast and across the peninsula to Kuala Lumpur; (2) Melaka Gateway project, a large new port in Peninsular Malaysia’s west coast state of Melaka (Malacca); (3) Kuantan Port Expansion project, a large new port in the east coast state of Pahang; (4) Kuala Linggi International Port – also in Melaka, a 12.5 billion Malaysian ringgit (RM) new port in the south supposed to compete with Singapore – which “has left experts, who deemed the project an environmental hazard, puzzled”⁸⁴; (5) a big land reclamation project in the northern state of Penang; (6) Green Technology Park in the state of Pahang – a project that involves a solar power station to be built in the then prime minister Najib Razak’s hometown and parliamentary seat of Pekan; (7) a steel complex in the East Malaysian (Borneo) state

of Sarawak; (8) a methanol derivatives plant, also in Sarawak; (9) Robotic Future City in the southernmost state of Johor; (10) massive real estate developments in Johor and the East Malaysian (Borneo) state of Sabah, with that planned for Johor nearly exclusively to provide second-home investment opportunities for middle-class house buyers from China (Case, 2018: 23-24).

9.3.2. Rethinking BRI after 509

In July 2018, the Malaysian Ministry of Finance under the new government that replaced the infamous kleptocratic former BN regime found clear elements of money laundering in the Multi-Product Pipeline (MPP) and Trans-Sabah Gas Pipeline (TSGP) projects when the previous government's contracts involved paying to China firms for work yet to be completed and that was related to the notorious 1Malaysia Development Berhad (1MDB) scandal. "The entire project smelt like a scam ... We were giving money out [8.3 billion Malaysian ringgit, i.e. 88% of total project value] – to a Chinese company [despite an average of only 13% work completion] – and we suspect this money was being funnelled to parties related to the previous administration," Tony Pua Kiam Wee (潘儉偉), who is special officer to the new Malaysian finance minister Lim Guan Eng (林冠英), told the BBC in an interview in mid-July. The new Pakatan Harapan ("Alliance of Hope") government has said that it is investigating whether part of the loan from this Chinese state-owned bank for the US\$2.3 billion (RM9.3 billion) projects was used in helping the scandal-riven former administration to repay dues of scandal-ridden state fund 1MDB through a money-laundering arrangement disguised as loan repayment.⁸⁵

With Malaysia's 93-year-old new prime minister Mahathir Mohamed having repeatedly said that he will be reevaluating Chinese investments in the country, including those that are part of the BRI, the

referring of payments worth US\$2 billion for these Chinese-built pipelines to the anti-graft commission over potential connections to the financial scandal linked to former prime minister Najib Razak could be a bad sign for other Chinese investments, including a US\$14 billion railway joining Peninsular Malaysia's coasts, and could potentially causing huge disruption to China's grand scheme. "Would China be happy with the [9 May 2018 Malaysian election] result?" said Euan Graham, the director of the Lowy Institute's international-security program, when interviewed by *Business Insider*. "I suspect they will be rather worried because Najib has been almost taken for granted as a pliable figure," commented Graham referring to the scandal-riven ousted former Malaysian prime minister who has hardly been seen protesting China's claims in the South China Sea, and who brought into his country as much as US\$93 billion in investments from China for port and railway projects, including even a potential plan in 2016 for a China construction company to be awarded a rail project linking the east and west coasts of Peninsular Malaysia in exchange for paying US\$850 million for assets from IMDB, the state investment fund from which hundreds of millions of dollars were reportedly found in Najib Razak's personal bank accounts a year earlier.⁸⁶

9.3.3. ECRL & IMDB scandal

William Case (2018) considers Malaysia one of the most intriguing countries to participate in the BRI scheme, for among the countries on the Maritime Silk Road it has been most closely embraced by China, bypassing even Thailand and Indonesia to so enthusiastically assume such an agential role on China's Maritime Silk Road to become the latter scheme's hub and central node in the region featuring far more such China-funded projects and ventures than any other Southeast Asian countries, in view of the socioracial and developmental features (related

to the Malay majority vs ethnic Chinese minority divide). Case attributes this to “Malaysia’s distinctive political economy, made manifest in durable single-party dominance” whereby even more crucial than developmental gains are patronage resources and distributions in that while projects and ventures are undertaken in hopes of development, “any such gains are but positive externalities that spring from more primary largesse. Thus, as one project goes to ground, the indebtedness that sets in makes another and larger project more necessary, both to repay creditors and to placate patronage seekers, generating a pyramidal sequencing.” (Case, 2018: 22)

Regarding the US\$14 billion (55 billion Malaysian ringgit) East Coast Rail Link (ECRL), the 688-kilometre railway track project from Malaysia’s Port Klang to Gombak and onwards to Kuantan and Pengkalan Kubor (Malaysia-Thailand border in the Malaysian state of Kelantan), which is viewed as part of the Belt and Road Initiative, the new prime minister Mahathir has described it as “strange” because payments are based not on work done but on a pre-determined timetable, and the money does not come to Malaysia but is kept abroad to pay the contractor in China who then disburses payments.⁸⁷ The new Malaysian finance minister Lim Guan Eng’s special officer Tony Pua (both Lim and Pua are from the new ruling coalition Alliance of Hope’s mainly ethnic Chinese-, Tamil- and Punjabi-based component party, the Democratic Action Party (DAP)) has suggested that the China Petroleum Pipeline Company (CPPC) was paying 1MDB debts using funds for its oil pipelines projects in Malaysia, leading later to allegation that the finance minister was unable to accompany the prime minister in the latter’s visit to China due to a request by Beijing which has been infuriated by claims that Lim was behind several raids by the Malaysian Anti-Corruption Commission (MACC) against the China companies in Malaysia involved in the scandal.⁸⁸ The scandalous smell of the ECRL project

indeed comes from various angles. It is so obvious that the cost of the rail project has been greatly inflated, with Malaysia suspected to be overpaying by a hundred per cent to enable half of the funds be returned by China to Malaysia which the BN government could probably then use to repay its debt on 1MDB (Case, 2018: 23). Malaysia “would eventually have to pay well over three times the original cost estimates” and even “at the much lower costs, the project would never ever pay for itself”, said the new government’s Council of Eminent Persons (CEP) member, renowned social economist Jomo KS in *Free Malaysia Today* (26th July 2018). “After discounting the original cargo and passenger projections to more realistic levels, the project would have implied permanent haemorrhage of operating costs, even after writing off the gargantuan development costs of RM81 billion plus interest,” and together with various other dubious project brought in by the Najib Razak administration from China, “the mammoth resulting debt burdens will be borne by future generations of Malaysians.”

Malaysia’s Economic Planning Unit awarded the ECRL project to China Communications Construction Co (CCCC) through direct negotiations in August 2016 “without any competition and little transparency, but generous special privileges, including massive tax exemptions” (Jomo, 2018), against the correct practice for public projects, and Malaysia Rail Link Sdn Bhd (MRL), the Finance Ministry-owned company set up to spearhead the project, was formed only a month after the award to CCCC and the experts responsible for implementing the project only started coming on board late October and were just employed on time to sign the loan agreement and see through the implementation but did not have control on the terms of the agreement which was signed in November 2016, according to which China’s Export-Import Bank (Exim Bank) will provide 85% of the financing. Also, there had been a relationship between 1MDB and

companies from China a few months before the ECRL deal was sealed when China General Nuclear Power Corp emerged as the highest bidder for the power-generation assets of 1MDB in April 2016, a deal that provided 1MDB with much-needed cash flow. “To be sure,” as Jomo (2018) points out, “ECRL would not have involved foreign investment from China, but rather, huge loans from China’s Export-Import Bank, ostensibly for 85% of projected costs” which was expedited to start in early 2018 before the May general elections, and even with little work done, half the total loan – amounting to almost 20 billion Malaysian ringgit – had already been disbursed in dubious circumstances a few months later. As ECRL and many other big Chinese projects the Najib Razak administration brought into Malaysia are actually being financed through soft loans rather than foreign direct investments, and given “the massive amounts involved – all coming from a single country, much of it from the state itself – the government of China could soon emerge as one of our largest creditors” (Ignatius, 2017). In its list of 28 countries in terms of their willingness to pay bribes, Transparency International’s 2011 Bribe Payer Index ranks China companies No. 2. As Dennis Ignatius, a former Malaysian ambassador, keenly observed in 2017, “Malaysia, for its part, is now one of the most corrupt countries in the world. When two corrupt systems interact on projects that are worth billions, can there be any doubt that billions will be diverted into private coffers or used to further subvert what’s left of our democracy?”

It is indeed questionable why CCCC has been allowed to draw down US\$5 billion (RM20 billion Malaysian ringgit, strangely including a sum as “advance payment”) just a year after work started and where the money actually went to. There has long been suspicion that the contract for the ECRL that can actually be built for under 40 billion ringgit was inflated to 60 billion ringgit (by 2018 expected to cost as much as 70 billion ringgit) when it was signed in 2016 whereby the extra

20 billion ringgit was to be used to help 1MDB meet some of its debt obligations and for the purchase of two companies linked to Jho Low (劉特佐, Low Taek Jho), Najib Razak's family friend and a Malaysian financier and the beneficiary of numerous discretionary trust assets said by the US government to originate from payments out of the Malaysian 1MDB fund, now a wanted key suspect involved in the 1MDB scandal.⁸⁹

As the new Malaysian government's deputy minister of defence, political and civil rights activist Liew Chin Tong (劉鎮東, also from the new ruling coalition Alliance of Hope's mainly ethnic Chinese-, Tamil- and Punjabi-based component party, the Democratic Action Party (DAP)) comments in *Free Malaysia Today* (13th July 2018), "Having the Pan-Asia Railway [under China's BRI] in mind would also show that the East Coast Rail Link (ECRL) and High-Speed Rail (HSR) are ideas that were not thought through carefully [...] The economics of this project is unfeasible. It would take a maximum of three days to cross Peninsular Malaysia and, on top of that, having to carry out the extra work of unloading and re-loading of goods", as this is not the Cape of Good Hope, where the size of the continent justifies the Suez Canal. However, the new deputy defence minister assures the Malaysian east coast states' residents that: "It doesn't mean that the east coast states don't deserve better rail services but it can be done through double-tracking and electrifying the existing Gemas to Tumpat line." Likewise, the passenger-only HSR from Kuala Lumpur to Singapore, Liew says in comparison, would never generate the sort of traffic like that of the HSR between Beijing and Shanghai. While not rejecting the benefits of BRI's Singapore-Kunming link idea, Liew emphasises that "it should be one that carries goods and not just passengers, as there will never be a HSR that is faster than flying from Kuala Lumpur to Beijing or Shanghai for passenger purposes."

9.3.4. A new Malaysia that can say “No” and the ethnic Chinese factor

The new Mahathir administration's stance of saying “No” to China when the China-funded projects are considered detrimental to Malaysia's long-term financial health and/or involving seedy corrupt dealings with the previous kleptocratic government of Barisan Nasional has not been going down well with the country's ethnic Chinese business class as well as the staunchly pro-Beijing Chinese educationists, with business and other ethnic Chinese community leaders urging the new government not to scrap or delay the China-funded megaprojects.

This is not surprising. The Malaysian Chinese business community's perception of the rise of China is not only affected by business interests and market concerns but also emotional ties to the ancestral homeland. Besides, there are also the Malaysian Chinese educationists whose ethnic mother-tongue education mission is dependent in the main on the financial support from the business community. It is thus not surprising to observe the usual unquestioning sympathetic stance of the Chinese educationists towards the PRC under CCP's authoritarian rule that borders on “loyalty” and “patriotism” to the ancestral homeland and by extension to its ruling party – e.g., see the stance of the Malaysia's United Chinese School Committees' Association or Dong Zong (董總) on the case of Liu Xiaobo when it issued a statement in 2010 condemning the award of that year's Nobel Peace Prize to Liu Xiaobo, saying that by awarding the prize to Liu the Nobel Peace Prize had become the world's laughing stock, and the Chinese educationists' violent verbal abuse hurled at Falungong (法輪功) followers in an incident in 2012 outside the Dong Zong office.

Chinese educationist 1: You traitors of the Chinese (*hanjian*) and lackeys (*zougou*) ... what are you coming here for?

Chinese educationist 2: Who paid for your expenses to come here?

Female Falungong representative: Please calm down ...

Chinese educationists 1 & 2: Calm down what?! *Fangpi ah!* [What crap!] Calm down?!

Chinese educationist 1, 2 & 3: China today is so good, making money. You gang of traitors of the Chinese (*hanjian*), taking American money ...⁹⁰

In the incident in 2012, much publicized after the related video clips were uploaded onto *Youtube*, local Falungong followers were subjected to the rudest verbal abuse including death threat, according to what was recorded on the video clips, when they were trying to submit a letter to the administration of a local Chinese college run by the country's United Chinese School Committees' Association (Dong Zong)⁹¹, after a student experimental newspaper's license renewal in June 2012 was blocked by the administration following the paper's report in its March issue on a local Falungong promotion parade. In the video clips, respected Chinese community leaders were seen wresting away pamphlets from the peaceable female Falungong representatives and tearing them into pieces while hurling insults like "*hanjian*" (汉奸, i.e. Chinese traitors who betray China or the Chinese people) and "American *zougou* (走狗, i.e. "running dogs" / stooges)".⁹²

Dennis Ignatius, a former Malaysian ambassador, noted in *Free Malaysia Today* (3rd February 2017) a similar, more recent incident:

Just last week, for example, a local trade association lodged a police report against a planned march by the Falun Xiulian Dafa Association, a legally registered body in Malaysia which Beijing violently opposes.

Interestingly, among the reasons given was that Falun Gong is banned in China and that the march might adversely affect Malaysia-China relations. All local Chinese associations were also urged to unite against the planned Falun Gong march and lodge police reports against them.

Ignatius sees this as an indication that China's embassy in Kuala Lumpur may be co-opting local groups to do its bidding in the classic United Front / *tongzhan* (統一戰線 / 統戰) fashion.

These are leaders and respected intelligentsia in the overseas Chinese communities – a generation whose outlook has been shaped by their personal first-hand experience of China's humiliation at the hands of the Western powers and Japan up to the Second World War, and to whom the “hundred years of national humiliation” (百年國恥) is still crying out loud for redemption. Hence they also constitute a generation of business leaders and intelligentsia among whom Beijing's stance that the benefits of stability under one-party rule far outweigh the risky endeavour of democratisation and decentralisation and that the human rights of the 1.4 billion-strong populace to be free from starvation and to be sheltered far outweigh the Western notion of freedom of speech and freedom of political choice would find resonance, and a generation to whom a China that could stand tall among the community of nations, a China that is fast becoming a superpower, and a world that stoops to a rising economic, military and Cultural China / *Wenhua Zhongguo* (文化中國) are all that count in bestowing pride on one's Chinese ethnicity, whilst probably little else matters. Nevertheless, how far the Party-State could continue to exploit this antediluvian cycle of what William A. Callahan (2010) termed “pessoptimism” of national humiliation and national glory to rally the people – both Chinese citizens and Chinese Overseas – around the five-star red flag and garner support for the

legitimacy of CCP's enforced political monopoly and suppression of political dissent in the name of harmony / *hesie* (和谐, *ho-hsieh/hexie*), especially among the Internet-savvy post-90 generation who are further removed from the memory of the "hundred years of national humiliation" seems to be increasingly doubtful.

After all, a strong China, whether dictatorial or democratic being irrelevant, serves well the ethnic Chinese communal pride as well as strengthens the local struggle of ethnic business interests and ethnic (here being "Mandarin" Chinese) language medium of education.

To these overseas Chinese business community leaders and educationists, China's economic glory and her concomitant international clout and military prowess is above everything, and definitely above democracy and freedom which they considered as notions the Western powers are employing to derail China's progress to a world superpower status.

Malaysian Chinese business and social community leaders belong to an elderly generation who or whose parents have suffered much during the Second World War and the Japanese occupation of Malaya. They generally exhibit a pronounced sentimental attachment to mainland China (and a deep hatred for Japan due to the occupation experience and Japanese military's atrocity in China and Malaya during the War and Occupation period, as well resentment towards countries that question and challenge China's sovereignty in maritime or land border disputes, e.g., Vietnam, the Philippines and India, and even towards the United States and its Western allies for their perceived effort to support Japan and others to "contain" China), and feel very at home in an era when China has embraced capitalism and provided them huge business opportunities through investment and trade. They also feel profoundly happy and proud now that with the emergence of a strong China they can unabashedly exhibit their Chinese ethnicity and culture.

CCP's authoritarianism and suppression of dissent have no problem with them. For the community leaders of this generation, business and communal interests are paramount, and in the age-old tradition of immigrant Chinese business class, cultivating ties with whichever power that be in the host society in a mutually beneficial financial arrangement has been a natural way for survival and key to prosperity. Human rights, democratic ideals, social justice and workers' rights are not.

For the Malaysian Chinese business community (or even from the wider Malay-dominated Malaysian perspective), China "threat" and "opportunity" are like two sides of a coin. A prospering China is seen as providing great opportunities to the Malaysian economy and Malaysian Chinese businesses, and China's instability and economic decline and disorder are scenarios seen in terms of the potential to bring adverse effects to the Malaysian economy and Malaysian Chinese businesses. But this is strictly from the business point of view. On the CCP government's regime type, for these elderly leaders of the Malaysian Chinese community, as well as those among the younger generation whose overriding concern is in the struggle of the local Chinese-medium education and maintenance of Chinese culture and literary tradition (increasingly many of whom are graduates from universities in the PRC), the rising PRC is and potentially would be their strongest ally against their government's adverse policies towards the ethnic enterprise (economic, cultural or educational) that they hold most dear. Regarding the issues of the universal values of human rights, democracy and social justice, these Malaysian Chinese community leaders would tend to play the role of apologists on behalf of this "greatest ally" of theirs, echoing CCP's perennial argument of a China which is not yet ripe for giving free electoral choice to the people due to its huge population, low cultural and educational level of especially the rural people and that adopting the North Atlantic model of liberal democracy at this stage

would bring chaos, instability and tremendous suffering and misery to its citizens.

This is in line with what Deng Xiaoping stated in 1987, that direct general elections could only be held after half a century had passed in the 2000s, and at the moment the country had to make do with indirect elections above the county level and direct elections only at county and below county level, given the colossal population and inadequate level of cultural quality of the people.⁹³ To these Malaysian Chinese community leaders, regime legitimacy which is so important for Malaysia and elsewhere is hence irrelevant in the unique case of China. The Chinese Communist Party's "stability above everything" (稳定压倒一切) surely finds resonance among these Malaysian Chinese community leaders.

9.3.5. Sharp power: United Front inroads into business community and academia

As Dr Li Ran, a research fellow at University of Malaya's Institute of China Studies, said in her aptly titled article "The suitable must be the best"⁹⁴:

Regarding becoming a democratic country with rule of law, China has tried but the road was denied completely by realities, and ultimately China has chosen the only path available – the path to authoritarianism. This is not due to its leaders' grand ambitions, but due to the fact that it is suitable for China to walk this path: a path "with Chinese characteristics" in the official parlance. China not only has a huge population, but also has a very complex national governance system, for example its government and city tierings are varied and complicated. This thus requires the Chinese citizens not to emphasize individualism, but to sacrifice parts of their individual

rights in exchange for common rights together – giving their rights to the country and let the country lead national development with unified governance. Hence, when China operates with its so-called one-party authoritarianism, just if the Communist Party of China is leading to a correct direction, China as a whole would be able to develop at high speed and become today's gigantic global dragon.

Or simply “Communist rule is good for China”, according to Kisore Mahbubani, former (founding) dean of Singapore's Lee Kuan Yew School of Public Policy, one of the most ardent, unreserved supporters of Chinese Communist Party dictatorship of China, as expressed in his writings and numerous speeches and interviews in Singapore and abroad.⁹⁵

Given the central role of the CCP – a political party that has been so drastically transformed from its Maoist days after nearly four decades of economic reform in the PRC, with a mercantilist orientation far removed from those early autarchic days, and in many aspects looks increasingly plutocratic rather than socialist – in contemporary China's unprecedented national transformation, the often raised issue of regime legitimacy is indeed becoming increasingly academic and irrelevant. Such irrelevance stems from a combination of (1) international recognition and comparison of opinion polls on domestic leaders (Bo, 2017); (2) claims to “alternative modernities” and a reemerging *chinoiserie* (Dirlik and Prazniak, 2013) – China as an object of admiration apart from others and that thus cannot be judged by the common yardstick (e.g. Martin Jacques's China as a “civilizational state” rather than an ordinary nation-state)⁹⁶; (3) the simple fact that legitimacy depends rather little on abstract principle or assent of the governed for the “person over whom power is exercised is not usually as important as other power-holders” (Stinchcombe, 1968).

Such rhetoric is what many admirers and apologists of the CCP regime find perfectly palatable. China is special, because of its size and demography, because of its unique historical experience and current situation. The world should try to understand and not to judge it too harshly. Few would forget the memorable remark Hong Kong moviedom's superstar Jackie Chan (成龍) made at a press conference in Bo'ao (博鳌), China, in 2009: "I'm gradually beginning to feel that we Chinese need to be controlled."⁹⁷ Hong Kong and Taiwanese societies might be "too free", in his opinion, and could result in chaos. He might be chided as lacking the backbone of some fellow entertainers like Anita Mui (梅艷芳), but of course, the movie star was speaking to the ears of the government of his biggest movie audience market in the mainland, his greatest ally now in the waning days of his remarkable career in movie industry. The same for the Malaysian Chinese business community.

If we just look at the Malaysian Chinese community, it is apparent that the Malaysian Chinese business class is in general staunchly and unreservedly pro-Beijing – for the following reasons.

The Malaysian Chinese business community leaders who are also social community leaders – as leaders of the Chinese associations / *huatuan* (華團) – are in general dominated by the elderly generation, a generation that has maintained strong emotional ethnic ties with mainland China, who have spent their difficult young age during war and the Japanese occupation (though some might be too young to have a clear memory – hence such tortured memory might have been implanted in them by parents and other family members and through communal cultural and educational channels like Chinese newspapers). Emotionally they are loyal to China and by extension to the economically well performing and now staunchly pro-business CCP.

As businessmen, to them China's prosperity and stability are far more important than the intangible ideals of political freedom and democracy as the former mean immediate economic gain through investment and trade while the latter seem abstract, academic and high-brow.

Today the local business community still exhibits the legacy of earlier immigrant origin. Collaborating with the existing political power, while politically apathetic themselves, in safeguarding business interests had always been the *modus operandi* of overseas Chinese business community since the early days of the Chinese diaspora, e.g., since the 19th Century, into Southeast Asia. Such outlook, born of a necessity for survival in a foreign land, had often made the overseas Chinese business community cronies of local autocrats, and with the advent of modern popular democracy, has often made the whole community bear the brunt of the wrath of the "indigenous" (or "early comer")/"homeland" majority community. Such is the thesis of Yale Law School professor Amy Chua (蔡美兒)'s book, *World on fire: How exporting free market democracy breeds ethnic hatred and global instability*, whose main contention is that the spread of free market democracy breeds ethnic violence in developing countries by simultaneously concentrating wealth in the hands of the ethnic minority and empowering the impoverished majority that resents the former.⁹⁸

9.3.6. BRI and domestic politics

Seen from this perspective, the ethnic Chinese component party of the former National Front ruling coalition (ousted from power in the May 2018 general elections), the Malaysian Chinese Association (MCA)'s signing of a memorandum of understanding (MoU) in 2014 with CCP and "learning from" CCP would not appear to be so illogical (for a member of the ruling coalition in a multi-party electoral democracy to

learn politics from an authoritarian ruling party that denies the citizens' voting rights and free political choice and for whom harsh crackdown on dissent is a standard practice). MCA, after all, has always been seen as a "big *taukeh*⁹⁹" party and has its origin as a communal welfare organization run by successful communal business leaders taking care of old Malaya's immigrant Chinese and their children.

In August 2013, MCA sent a delegation led by its deputy president Dato' Seri Liow Tiong Lai (廖中萊) to visit CCP and met with various leaders of the latter's internal organs including its Organizational Department, Propaganda Department, International Department and the Central Party History Research Office, to learn from the CCP and invite CCP experts to visit Malaysia to share experience in cadre training and ideological work.¹⁰⁰

On 17th July 2014, Liow Tiong Lai, by then party president, led a delegation to China and signed an MoU with the CCP¹⁰¹ (Liow was represented by the party's secretary general in the signing as Liow had to rush back to Kuala Lumpur to deal with the downing of a Malaysian Airlines plane in eastern Ukraine). The MoU agreed on four points of consensus: mutually support each other country's think tanks, media and other organizations to develop friendly exchange and solidify the popular opinion basis of China-Malaysia friendship, strengthen high-level exchange between the two parties to share experience in party and political governance, strengthen exchange at different levels to share experience in party building and political ideology in order to promote mutual comprehensive understanding of the condition of each other's party and country as well as common development, and develop cooperation in cadre training and enhancement of cadres' quality.

Although MCA had earlier also went to Taiwan to "learn" from the Kuomintang (國民黨 , KMT) and the Democratic Progressive Party (DPP) and the United Malay National Organization (UMNO, the

dominant party in Malaysia's ruling coalition) has made similar gesture to CCP earlier, it is still a remarkable move by MCA given that during the Cold War era CCP was the backer and sponsor of the Malayan Communist Party which was a direct rival of MCA for the hearts and minds of the Chinese of Malaya/Malaysia.

The Malaysian Chinese Association launched the "MCA Belt and Road Centre" (Mbrace) in December 2016,¹⁰² and further the "MCA Belt and Road 2.0" in February 2018,¹⁰³ as well as Penang's "One Belt and Road Centre" (OBRC)¹⁰⁴ in June 2017 in the prosperous northern heavily ethnic Chinese island state the federal ruling coalition has lost to the opposition alliance led by the ethnic Chinese-based Democratic Action Party (DAP) since the 2008 "political *tsunami*". Such actions by MCA has been jeered by many political commentators, who find it ridiculous for a Malaysian political party to set up a centre within for a politico-economic strategic programme of China, as a sinking party grasping at a last straw perceived to be given by China's OBOR initiative: "馬華沒出路，才大搞一帶一路" [MCA sees no road in front, hence going big on One Belt and One Road].¹⁰⁵ On this, the former Malaysian ambassador Dennis Ignatius stated bluntly that: "Even some of our political parties are now behaving more like extensions of the PRC embassy – setting up PRC affairs committees and OBOR centres – than as Malaysian political parties." (*Free Malaysia Today*, 3rd February 2017) During the 2018 general election campaign, MCA even came up with huge incredible billboards and banners declaring "一帶一路造福人民" [OBOR is a blessing for the people] and even more incredibly "投國陣，等於支持中國！" [to vote for the National Front is to support China!]¹⁰⁶

Recalling the continuous strengthening of relations between the ruling regimes of the two long-lasting one-party dominant systems, Malaysia's then ruling BN and China's CCP, mentioned earlier¹⁰⁷ in

sharing a common priority in perpetuating political dominance, and the visit of Datuk Seri Tengku Adnan bin Tengku Mansor, secretary-general of United Malays National Organization (UMNO, the dominant party in the former National Front ruling coalition), to Beijing¹⁰⁸ that led to his comment that: “This trip to China made me believe that China must practice one-party dictatorship, as multi-party political system will damage China’s stability. If multi-party political system is implemented in China, the people will put their heart and mind in politics and there will not be progress. Although all are Chinese citizens, there are different races, religions and cultures in different areas and regions of China which make achieving harmony difficult. Hence I believe that one-party dictatorship is best for China and is in line with China’s national conditions too.”¹⁰⁹ Such empathy and political convergence¹¹⁰ shown between two long-lasting one-party dominant states, especially since BN’s unprecedented electoral upset in the 2008 “political *tsunami*”, coupled with the convergence of political and financial interests between the planet’s largest dictatorship and the increasingly authoritarian one-party dominant regime during the kleptocratic Najib administration, had set a really worrying trend before a combination of civil society’s disgust against grand and blatant corruption of an arrogant regime, a modern cross-ethnic younger generation’s aspiration for liberalism and democracy and more respect for human rights, and Malay backlash against the Najib administration’s perceived sell-out of national interests to China, in an almost miraculous and unexpected nation-wide “political *tsunami*” finally achieved the unachievable deed of ousting the previously seemed undefeatable governing machinery of the National Front in the 9th May 2018 general elections.

Nobody had foreseen what was coming, not least China’s embassy, which up to the days of election campaigns, as noted by the former Malaysian ambassador Dennis Ignatius: “Despite its oft-repeated

commitment to the principle of non-interference, the Chinese embassy increasingly thinks nothing of warning opposition leaders who question the direction of Malaysia-China relations or favouring certain political parties by its high-profile attendance at conferences and political events. It is even attempting to position itself as one of the principal interlocutors of the Malaysian Chinese community [...] Needless to say, the more China has to lose, the more it will be tempted to involve itself in domestic affairs.” (*Free Malaysia Today*, 3rd February 2017) And indeed as Ignatius highlights, the embassy’s statement in early 2017 that it would “not allow anyone to jeopardize ... bilateral cooperation” was a thinly veiled warning that it would intervene where necessary to protect its interests, as moreover “the billions of ringgit in infrastructure projects, business and trade deals that China brings to the table gives it unparalleled domestic leverage to influence and affect outcomes.” (*ibid.*)

9.3.7. 509: Game changer

It is thus understandable that the local or China-based pro-Beijing forces probably still have problem swallowing the unsavoury, shocking outcome of the 509 elections. For instance, Dr Zhang Miao, research fellow of University of Malaya’s Institute of China Studies, who has lamented immediately after the fall of the Najib government that the ousted prime minister who has the real noble stature of the Malay aristocratic class has been wronged by public opinion,¹¹¹ recently wrote two articles vilifying Mahathir for creating an imaginary enemy in the form of China¹¹² and the hypocrisy of the “two-faced” Alliance of Hope government¹¹³. She should be even more convinced of this when in a remarkable reversal of foreign policy, the new Alliance of Hope government just a few months after its election win decided to defy China by freeing from detention 11 Uyghurs, who fled to Malaysia after a daring November 2017 jailbreak in Thailand by punching holes in a

prison wall and using blankets as ladders, and sent them to Turkey, disregarding China's request to hand them to Beijing.¹¹⁴ The new government's decision to drop charges of illegally entering Malaysia against the Uyghurs on humanitarian grounds and send them to Turkey despite, as Reuters reported, tremendous pressure from the CCP government to deport them to China represents a bold and clear break from the Najib administration's actions in 2011 and 2012 as mentioned earlier.

Nevertheless, the response to the new Malaysian government's change of its policy orientation towards China has been sharply different among Malaysians outside the country's ethnic Chinese business community and United Front-coopted academic circles. Such different sentiment was expressed recently by the former *New Straits Times* group editor-in-chief Kadir Jasin who backed Mahathir's fear that China companies and workers would have a monopoly on China-funded projects in Malaysia as China had a track record for *putting China first*: "China's way of doing business is monopolistic and is founded on the concept of 'China first' – a throwback to ancient times when the Chinese believed they were the centre of the earth".¹¹⁵ His argument is that China's political control is in the hand of one single party, the CCP, to whom electoral challenge is not allowed, which owns almost all the economic and industrial assets of China, and over the past decades has become the biggest business conglomerate in the world and is doing business with the rest of the world very much like the way it is controlling the government and the military in China. Citing the example of an ongoing project to restore a heritage building to house Malaysia's Penang state branch of the Bank of China as an example of China's monopolistic business methods, for if even the contract for such a sundry, everyday project as the rehabilitation and conversion of a heritage building was awarded to a China company, he asked, what is the

likelihood of China awarding multi-billion ringgit projects it has secured in Malaysia, such as the East Coast Railway Line, to local contractors? He thus warned, “Unless we are fools or commission agents to China companies, we surely know that doing business with China is not the same as doing business with the USA, Europe and Japan. Or, for that matter, with any country practising multi-party democracy.”

10. Xi Jinping’s Real “China Dream”

Sir Halford Mackinder in his 1904 paper “The geographical pivot of history” at the Royal Geographical Society formulated the *Heartland Theory* which explained that whichever nation that controlled Eastern Europe would control the core of Eurasia (the “Heartland”) and subsequently would then control all of Europe and Asia (the “World Island”), and finally, would dominate the world. Alfred Thayer Mahan in his books *The influence of sea power upon history, 1660–1783* and *The influence of sea power upon the French Revolution and Empire, 1793–1812* (published in 1890 and 1892 respectively) posited that whoever conquered the seas would control the world. It has been said that China’s BRI could turn out to prove for the first time a combination of both Mackinder’s and Mahan’s theories, with the Belt aiming to become China’s “Heartland” and the Road China’s new maritime tributary empire: “If China is successful in its goals, they will prove both geopolitical theories as symbiotic, and become the new superpower.” (Loy, 2018).

If the PRC were able to achieve such a dream (Xi Jinping’s real “China Dream”), the world would be a friendly place with (1) autocratic collaborator nations from the developing countries spanning continents from Southeast Asia to Africa to Central Asia (many would be depending on PRC in maintaining their autocratic *status quo*) to Russia,

ever ready to lend China a hand in its suppression of domestic dissent and in resisting external pressure for democratic reform to promote political freedom and civil liberties, and with (2) cash-trapped democratic countries lured by China's generosity to turn a blind eye to the world's biggest dictatorship's persecution of dissidents and brutal trampling on human rights as well as to discourage anti-CCP activities of China's exiled dissidents on their soil. This is CCP's real "China Dream" – creeping subservience along the Belt and the Road.

For Southeast Asia, the 21st-Century New Maritime Silk Road signifies a return to the tributary system established by imperial China in the seventeenth to eighteenth centuries, though now with a different format. Responding to the remarkable largesse provided by China to built up their ports, railways and roads as well as to help cover up their respective leaders' and regimes' corruption and suppress anti-graft investigation and political opposition, these kleptocratic and increasingly authoritarian leaders and regimes in Southeast Asian countries will respond with the necessary payments and political deference, and "they will look the other way as China gobbles up their exclusive economic zones and militarizes the South China Sea" (Case, 2018: 21). This was exactly what the former Najib Razak regime of Malaysia had been doing in exchange for China's financial collusion in the attempt to save his increasingly unpopular scandal-riven administration as well as himself and his family from domestic as well as international graft prosecution. This is exactly what President Rodrigo Duterte of the Philippines has done too by practically ignoring the United Nations Convention on the Law of the Sea (UNCLOS) South China Sea Arbitration Tribunal's 12th July 2016 ruling in favour of the Philippines,¹¹⁶ while lauding that China has promised to protect the Philippines¹¹⁷ and even expressing half-jokingly that it would be better to make the Philippines a province of China¹¹⁸.

Just like the underlying motive of Zheng He's maritime expedition was, as many historians have pointed out, to eliminate the threat posed to the throne from exiled rebels and hostile neighbours, the overriding motive of Xi Jinping's upscaling of China's foreign economic involvement through the grand BRI is to strengthen China's influence on those participating countries including the ability to ensure their cooperation in silencing foreign criticism of her domestic persecution of dissidents and trampling on human rights as well as collaboration in monitoring and hampering anti-CCP activities of China's exiled dissidents, harassing them and even kidnapping or deporting them back to China – through what in recent years has been described as “sharp power”.

William Case (2018) summarises the following key strategies of China from Andrew Nathan (2015):

1. While China has always denied the existence of any unique “China model” template that autocrats around the world can follow, in practice PRC inspires autocrats across developing countries simply with its dazzling example, showing them clearly that modernization and even economic miracles are possible even while remaining uncompromisingly dictatorial or authoritarian.
2. Through State media – Xinhua News Agency, China Central Television – and half a thousand of Confucius Institutes having crept into campuses across the world, China is asserting its “soft power” by broadcasting the messianic message of the advent of Beijing Consensus (*vis-à-vis* the declining Washington Consensus) encompassing the one-party-rule “market-socialist democracy” promoted by the efficient and benevolent CCP, and the so-called “Asian values” as an antithesis to Western bourgeois values.

3. China has appointed itself a mentor to autocrats in developing countries, teaching them control techniques, including sharing Internet control hardware and facial-recognition software, to identify, punish and silence dissidents. It also operates training schools, especially in Africa, for civil servants to learn China-style law, journalism, and police enforcement. On the other hand, while the PRC is meddling in the politics of these developing countries, the authoritarian governments of these countries have also strengthened their own capacity for domestic repression with new coercive techniques that they have learned, thus complementing China's new influence in a effective synergy.
4. The CCP regime continues to prop up authoritarian regimes in many developing countries, e.g. North Korea, Cambodia, Pakistan, Iran, Sudan and Zimbabwe, through lending and aid grants which help them to keep their head above water, to resist the Western pressures and to suppress the social movements demanding change and reform. To add here a more recent case of Malaysia, dubious deals from China with questionable terms helped sustained a kleptocratic and increasingly repressive regime until the latter was ousted in a general election on 9th May 2018.
5. PRC is using China citizens overseas, especially those enrolled as students in Western universities, as agents of State policy. These Western universities, being strapped for cash, admit in large numbers of students from China who are warned by China's Ministry of Education that they must display "positive patriotic energy" and build a "contact network with the motherland"¹¹⁹ and be ready to be prompted by remote control to protest against Western governments whenever such need arises.
6. The PRC is undermining the existing democratic institutions in the "Greater China" region, exerting tremendous pressure on Hong Kong

and Macau to force loyalty to Beijing out of their people, and intimidating and squeezing the international space of Taiwan.

Under the shadow of CCP's "sharp power", not only that exiled dissidents are no longer feeling safe from State persecution beyond China's shores, for them to coordinate a resistance movement through influencing China's students overseas and expatriates is also getting more difficult given CCP's tight surveillance of the country's citizens sojourning abroad through its covert operation network overseas.

In recent years Australian media reported that the Chinese government had set up large covert informant networks inside Australia's leading universities to put the Chinese academic staff and students under surveillance in order to protect Beijing's "core interests". According to an article by John Garnaut, the Asia-Pacific editor for *Fairfax Media*, published in *The Sidney Morning Herald*, China is establishing an extensive secret network of informants in Australia's major universities, including the University of Sidney and the University of Melbourne which have over 90,000 students from China, who now have the opportunity to be exposed to ideas and activities which are prohibited in China.¹²⁰ The Chinese government is allegedly using the China student associations in Australia for collecting intelligence and promoting political activities, according to the article, with function in parallel to the other intelligence networks operated by the Chinese diplomatic mission. Among the lecturers and Chinese-born students interviewed "who have suffered repercussions because of comments they made in Australian classrooms which were reported through Chinese intelligence channels"¹²¹, the article highlighted the case of a Chinese senior lecturer at a high-ranking Australian university who was interrogated four times by the Chinese intelligence agency regarding his comments made at a seminar about democracy at the University of New

South Wales. The article also gave another case of a Chinese student in Australia who met with the Dalai Lama, leader of the Tibetan government-in-exile. The Chinese intelligence got to know about this through its informant network, according to the report, and the student's parents back in China were subsequently asked by security officials to restrain their child's behaviour.

According to a former Chinese diplomat Chen Yonglin (陳用林) who has defected to Australia, the Chinese government is also using students to infiltrate dissident organisations, especially those related to Tibet and Falungong.¹²² The Chinese Consulate-General in Sidney vehemently denied all these allegations. Chen Yonglin, the former First Secretary of the Chinese Consulate-General in Sidney who defected in 2005 for Australian political asylum, stated that his main job during the four years and two months at the Consulate-General was to keep watch on the dissidents. He also pointed out that Chinese spies in Australia, who numbered over a thousand, were involved in kidnapping targeted dissidents back to China.¹²³ This reminds us of Voltaire's words and experience as related in Salman Rushdie's 2012 memoir *Joseph Anton*: "Voltaire had once said that it was a good idea for a writer to live near an international frontier so that, if he angered powerful men, he could skip across the border and be safe", and indeed "Voltaire himself left France for England after he gave offense to an aristocrat, the Chevalier de Rohan, and remained in exile for seven years." (Rushdie, 2012: 15) Alas, as the author of *Joseph Anton*, the fugitive writer who was the thirteenth on *The Times*'s 2008 list of the fifty greatest British writers since 1945 proceeded to remind us from his own bitter experience: "But to live in a different country from one's persecutors was no longer to be safe. Now there was extraterritorial action. In other words, they came after you." (*ibid.*: 15-16) The said Australian media report just acts to confirm the well-known fact that China's nationals overseas are under close

surveillance for detection of any activities which could be considered as anti-CCP. Even Voltaire would not be so sure of his safety today ...

Besides China's "sharp power" manoeuvring in Australia, according to a recent report released by Canada's spy agency, New Zealand has been influenced at every level of society by the CCP government, and the report describes that the situation has reached a "critical" stage.¹²⁴ The report describes New Zealand as "the soft underbelly" of her Western big brothers and claims that New Zealand's business, political and intellectual elite has all been targeted by China's CCP regime in order to influence activities and to provide access to military technology, commercial secrets and other strategic information through business tie-ups with companies, universities and research centres. Besides, CCP has put in massive efforts, including political donations, to bring New Zealand's Chinese-language media and Chinese community groups under CCP's control. Using New Zealand – with just a population of 4.7 million people – as an exemplary case, the report cautions smaller states of their particular vulnerability to influence from PRC who is aggressively utilising economic ties as an instrument to interfere with the political life of a partner country including swaying political decision-making, pursuing unfair advantages in trade and business, suppressing criticism of China, facilitating espionage opportunities, and influencing overseas Chinese communities. In other words, an aggressive strategy representing the exercise of "sharp power" at its best.

Speaking recently at the 15th Anniversary International Conference of the Taiwan Foundation for Democracy, Taiwan's President Tsai Ing-wen pointed out that democracy is facing a crisis of ebbing in the 21st century. Not only being eroded by populism and terrorism, liberal democracy in free societies is also being weakened by authoritarian countries through the use of "sharp power", and in the case of Taiwan, the liberal democratic island state has faced increased pressure from

China to force changes to her democratic lifestyle and reduction of the country's international space.¹²⁵

Professor William Case in his recent paper lucidly attributes the fact of democracy in developing countries having either stalled or collapsed to two factors: first, China's effort to undermine democracy in the world today; second, having gained new capacity, governments in developing countries have become stronger and as a result have grown more authoritarian (Case, 2018: 14). Obviously too, the second factor is greatly aided by the first. Malaysia during the brazenly kleptocratic years of Najib Razak's National Front regime is a good example. The incremental authoritarian tide has just been arrested with the fall of the regime in the 5th May 2018 elections with the new Alliance of Hope administration taking over the government, implementing democratic reforms, clamping down on corruption, and relooking at the dubious deals Najib's government had signed with China. Can other developing countries do the same?

11. Beyond Malaysia: Backlash against BRI

What has transpired in Malaysia may not be happening so soon across the developing world. While there have been increasing societal complaints and protests, from Pakistan to Central Asia, from Vietnam to Malaysia, about new forms of cronyism that China's investments have brought about, about the resulting foreign debt, about the loss of local ownership, about the unnecessary megaprojects, about the influx of Chinese construction workers and even housebuyers, about environmental degradation ignored by both unscrupulous China investors and corrupt local collaborators, and about erosion of democracy in the host country where China has no qualm about undermining so long as it can advance its economic and political interest

with the collaboration of the local regime, as evidenced in Cambodia and Malaysia, the latter before the local “political *tsunami*” of 9th May 2018.

However, there have recently been hiccups or backlashes in many countries towards BRI projects, including China’s close allies like Pakistan and Tanzania, or Hungary which is a country most positive about BRI in Eastern and Central Europe. Just like in Malaysia under its new government, projects under BRI are being cancelled, renegotiated or delayed in several countries due to disputes about costs or complaints that host countries are getting too little out of the projects built by China’s companies and financed by loans from China that must be repaid.¹²⁶

So far projects that have been derailed or disrupted include plans for Chinese companies to build a US\$2.5 billion dam that had been cancelled by authorities in Nepal in November 2017 because the contracts for the Budhi Gandaki Hydro Electric Project was deemed to have violated rules requiring multiple bidders (followed by another similar project pulled back from China investors in May 2018¹²⁷); Hungary’s awarding contracts to Chinese builders of a high-speed railway to neighbouring Serbia without competing bids that is being looked into by the European Union to see whether it has violated the trade bloc’s rules; plans for a China oil company to build a US\$3 billion dollar refinery in Burma, still considered China’s close ally, that had been cancelled in November 2017 due to financing difficulties according to the newspaper *Myanmar Times*.¹²⁸ In Pakistan, China’s plan for a modern Silk Road of railways, ports and other facilities linking Asia with Europe was said to have hit a US\$14 billion pothole when plans for the Diamer-Bhasha Dam were thrown into turmoil in November 2017 with the chairman of Pakistan’s water authority saying that China wanted an ownership stake in the hydropower project which he rejected as against Pakistani interests, and he subsequently withdrew the dam

from among dozens of projects being jointly developed by the two countries even though China issued a denial of that alleged intention.¹²⁹ The significance of this incident is as Robert Koeppe, an analyst for the research firm Economist Corporate Network, told the Associated Press, “Pakistan is one of the countries that is in China’s hip pocket, and for Pakistan to stand up and say, ‘I’m not going to do this with you,’ shows it’s not as ‘win-win’ as China says it is.”¹³⁰

With the July 2018 election victory of the Pakistani opposition PTI and Imran Khan who had run a 20-year anti-corruption campaign coming to power as prime minister-elect, BRI’s foothold in Pakistan is facing even more challenging times.

Imran Khan in 2014 staged a five-month sit-in in the government district of Islamabad, forcing a one-year postponement to the scheduled visit of China’s President Xi Jinping at which he was to unveil the China-Pakistan Economic Corridor (CPEC) master plan to connect China’s restive frontier region of Xinjiang to the Arabian Sea. PTI activists had been joining prominent Pakistanis questioning whether CPEC was a modern-day equivalent of the East India Company which ruled the Indian subcontinent in the 19th century, and criticising China-funded mass transit projects in three cities of the populous eastern Punjab province, governed by chief minister Shahbaz Sharif, brother of the recently ousted prime minister Nawaz Sharif, as a waste of money that should have been spent on education and health care, and insinuating that corruption was rife in the CPEC projects.¹³¹ Just like post-May 2018 Malaysia, China will be central to the first governance challenge facing PTI finance minister in waiting who will have to address a balance of payments crisis – which has been held at bay ironically by a series of emergency loans from Chinese state-owned banks – sparked, in part, by record imports of Chinese machinery for CPEC projects.¹³² CPEC has been considered by the previous

government as a major success as it enabled Nawaz Sharif's government to fulfil its 2013 election campaign promise to end Pakistan's crippling power shortages, but opposition politicians have been accusing the former prime minister's family of taking kickbacks in return for granting lucrative contracts for these projects to be executed by Chinese state-owned companies, and the large-scale imports of machinery for CPEC projects have been accused of damaging the Pakistani economy by pushing its current account deficit to record levels, and by making its external debt burden unsustainable.¹³³ The PTI government-elect has so far declared support of CPEC but emphasized that all agreements now have to undergo new parliamentary review, thus triggering speculation that the new Pakistani government will take its cue from the "Mahathir model" – the reviewing of all China and BRI-related megaprojects signed by the previous government of that other most important BRI-participant country in Southeast Asian.¹³⁴ Probably taking a cue from Malaysia, Pakistan later proceeded to cut the size of the biggest Chinese "Silk Road" project there by US\$2 billion, citing government concerns about the country's debt levels. The move represents part of Islamabad's efforts to rethink the key BRI projects in Pakistan, where Beijing has pledged about US\$60 billion in financing.¹³⁵ Pakistan's railways minister Sheikh Rasheed said that after this cutting of loan from China under CPEC for rail projects, postponed after the swearing in of the new government which has openly expressed worries and doubts about the China deals contracted by the previous Pakistani governments, from US\$8.2 billion to US\$6.2 billion, the government wished to further reduce the cost to US\$4.2 billion from US\$6.2 billion.

Elsewhere, in Sri Lanka hundreds of protesters clashed with police at the opening in January 2017 of the industrial zone in the south, saying they would not be moved from their land, in what was the first time opposition to Chinese investments in Sri Lanka turning violent. The

latest deal was accused to be too generous to China. Apparently forced by the country's high debt burden, President Maithripala Sirisena, who came to office threatening to cancel high-value Chinese contracts (signed by former president Mahinda Rajapaksa) on the grounds that they were unfair, had approved a deal to lease for 99 years 80 percent of the Hambantota Port to China Merchants Port Holdings for US\$1.12 billion. "A 99-year lease impinges on Sri Lanka's sovereign rights, because a foreign company will enjoy the rights of the landlord over the free port and the main harbor," said Rajapaksa, now in opposition, who ironically first allowed Chinese investment into Sri Lanka when he was president from 2005 to 2015.¹³⁶

In Thailand, work on a US\$15 billion high-speed railway was suspended in 2016 following complaints that too little business went to Thai companies.¹³⁷ Although a new plan was announced in July 2017 that gives local contractors a bigger role, the project has been progressing at snail's pace, with only 7% of foundation work completed even by March 2018.¹³⁸

In mid-June 2018, huge nationwide protests rocked Vietnam, centring on the Special Zone Act, a law that would create "special economic zones" (SEZs), offering special 99-year leases for the three controversial economic zones in strategic locations, that the protester alleged would be handing land over to investors from China through dodgy deals, and the protesters apparently had in mind the case of Vietnam's two poorer neighbours, Laos and Cambodia, which have already been lured into accepting deals of investor from China with 99-year leases on the land.¹³⁹

As Christian Zhang, a BMI analyst, and Kerry Brown, a specialist in Chinese politics at King's College London, told the Associated Press, it is probably too early to say at this point how much of the overall BRI will actually be implemented, and there is a high possibility that China is

going to encounter a lot of disagreements and misunderstandings, and so far there has not been even a big, successful project BRI has led to at the moment.¹⁴⁰

The *Nihon Keizai Shinbun* (日本経済新聞 / 日経 / *Nikkei*, Japan) recently reported that the external debt levels of six Southeast Asian countries of Laos, Malaysia, Cambodia, Vietnam, Indonesia and Thailand have been significantly higher than the overall average of developing countries, causing worries that this may trigger a debt crisis which is arguably at the moment related to the expansion of China's BRI into this region. According to *Nikkei's* report, FT Confidential Research (FTCR) of UK's *Financial Times* has analyzed the World Bank's data and found that among the Southeast Asian countries, foreign debt ratio of Laos accounted for 93.1% of its national income, far exceeding the developing countries' national average of 26%; this is followed by Malaysia's 69.6%, and Cambodia's 54.4%. The foreign debt ratios of Vietnam, Indonesia and Thailand respectively also accounted for higher than the developing countries' national average. Laos has been burdened with billions of dollars of debt due to its participation in China's BRI, including the construction of a railway connecting Kunming in China and Vientiane, the capital of Laos, costing as high as US\$5.8 billion and with resources consumed being equivalent to 40% of the country's GDP. Furthermore, as 2/3 of Laos's debt is denominated in foreign currencies, the country's currency devaluation poses the biggest risk to the country's debt. In general, the Southeast Asian countries began to notice what happened in South Asia, i.e. that the Sri Lankan government borrowed from Beijing to develop the port of Hambantota but it could not pay back the loan, and hence had to hand over the port on 99-year lease to China. Moreover, debt levels in Southeast Asia are generally higher than in South Asia. FTCR's research shows that over the past five years, the six most indebted Southeast Asian countries have continued to

accumulate foreign loans, especially Cambodia, Laos and Vietnam. Cambodia's external debt grew by 142%, making it the country with the fastest-growing foreign debt in the region. China is Cambodia's largest creditor country, accounting for about 70% of its foreign debt in 2016. It is also the largest creditor country for Laos.¹⁴¹ Lured by easy loans from China, apparently one by one these countries have fallen into the dangerous "debt trap" created by BRI.

Just a few months after his election win in 2018, Sierra Leone's new president Julius Maada Bio who once called China's infrastructure projects in the poor west African country "a sham with no economic and development benefits to the people"¹⁴² cancelled a US\$400 million China-funded project to build a new airport outside the capital Freetown whose loan agreement was signed with China by former president Ernest Bai Koroma before he lost elections in March 2018.¹⁴³ China has been observed to be playing an unusually direct role in the African country's recent presidential election campaign, including ethnic Chinese men campaigning in full party uniform alongside Ernest Bai Koroma's ruling All People's Congress (APC), which received a donation by China's ruling Communist Party of a seven story "Friendship Building" with construction began in 2017, and at an APC rally supporters could be heard chanting "We are Chinese! We are Chinese!" (Elcoate, 2018)

As for the Hambantota port, the Sri Lankan port minister Arjuna Ranatunga has explained that the port was losing money and the country, whose national debt stands at around US\$64 billion (of which over US\$8 billion was owed to China) or 76% of its GDP (one of the highest among emerging economies), was forced to go for a debt-for-equity deal to reduce the financial burden on the country. In terms of functionality, as *Reuters* describes it, since completion Hambantota unfortunately "remains a sleepy outpost. Ever since the port and airport were completed in 2014, there is one flight a day and barely five to six ships

docking each week. The highway leading to the town is largely deserted, a new conference hall is unused and even a large cricket stadium built by the Chinese is used mainly for wedding receptions.”¹⁴⁴ Or as Bloomberg reported forebodingly, “The eight-year-old Hambantota port – with almost no container traffic and trampled fences that elephants traverse with ease – has become a prime example of what can go wrong for countries involved in President Xi Jinping’s ‘Belt and Road’ trade and infrastructure initiative.”¹⁴⁵

Malaysia’s new prime minister Mahathir and finance minister Lim Guan Eng have taken heed. Have other leaders in Southeast Asia?

12. Repression in a Golden Age

The unprecedented “Yongle Era of Prosperity” of the Ming dynasty eclipsed not only the preceding Han and Tang dynasties but also the “Kangxi-Yongzheng-Cianlong Era of Prosperity” of the Qing dynasty 200 years later. However, it is also an era of unprecedented brutal political repression. At the same time as he was propelling Ming China upward to the zenith of national strength in terms of political stability, economic prosperity, territorial dominance and international clout, Emperor Chengzu also reinforced the imperial autocratic rule established since the time of Ming’s founding emperor Taizu, strengthened the *Zinyiwei* (錦衣衛, *Jinyiwei*, “guards-in-brocade”) imperial guard secret service system and established the *Dongchang* (東廠, the “Eastern Wing”, a feared secret police setup run by eunuchs). The heavy use of the eunuchs during his reign had eventually led to the bane of eunuch authoritarianism and power abuse after the middle period of the Ming Dynasty.

To stem opposition and potential rebellion, Emperor Chengzu executed many ministers and officials of former emperor Zianwen

(whose throne he usurped) including Ci Tai (齊泰, Ch'i T'ai / Qi Tai), Huang Zihcheng (黃子澄, Huang Tzu-ch'eng / Huang Zicheng), Fang Siaoju (方孝孺, Fang Hsiao-ju / Fang Xiaoru) and others and killed all in their clans (the gruesome imperial Chinese practice of execution of relatives / 抄家滅族). According to historical records, people of all ten clans of Fang Siaoju were executed (elimination of the nine traditional clans – a perfecting development from First Emperor of Cin's execution of three clans (夷三族) two millennia earlier of a punishment turning more and more cruel through the dynasties – i.e., in addition to oneself, all family members and relatives including also children, grandchildren, great-grandchildren and great-great-grandchildren, and in the case of Fang Siaoju plus friends and students), with number of persons killed totaling 873, plus over a thousand people penalised including being exiled to the remote frontiers (發配充軍). Huang Zihcheng was executed together with 345 people who were implicated. Zing Cing (景清, Ching Ch'ing / Jing Qing), who failed in his assassination attempt after his surrender, was executed and his nine clans were killed and all in his hometown were massacred. In addition, huge number of ministers and officials formerly serving Emperor Zianwen were tortured to death or committed suicide and large numbers of their family members and relatives were also executed, while many others who were related to them were exiled, forced to become prostitutes, or punished in other ways.

After the national situation stabilised, in order to strengthen the monitoring of the ministers and officials, Emperor Chengzu restored the “guards-in-brocade” (*Zinyiwei*) secret service system which was abolished earlier during Emperor Hongwu's era. In the 18th year of Yongle Era (1420), in order to suppress the political opposition, Emperor Chengzu felt that the *Zinyiwei* was still inadequate for political repression and thus decided to establish a new secret police unit called

Dongzishihchang (東緝事廠, *Tung Chi-shih ch'ang* / *Dongjishichang*) or *Dongchang* (the “Eastern Wing”) for closer surveillance especially on his inner circle. The *Zinyiwei* and the *Dongchang* thus formed a combined force to effectively strengthen Emperor Chengzu’s autocratic rule.

The *Great Ming Legal Code* / *Da Ming Lyu* (大明律, *Ta Ming Lü* / *Da Ming Lü*) established during the early part of the Ming Dynasty has clearly stated that in musical operas and plays, players were not allowed to act as emperor, queens and consorts, loyal ministers and the sages. Those who committed the offense would be beaten with rod a hundred times. Those who acted so in their homes, be they homes of officials or commoners, would also be so punished. In suppressing literary freedom and creativity, Emperor Chengzu had turned the law more draconian, prohibiting the printing and sale of such plays and dramas with capital punishment, making it a crime including to keep, recite, print and sell them. Such poems or songs, once produced, had to be burnt and destroyed within five days, as for those who dare to keep them, their whole family would be executed.

Controlling the subjects’ minds is what the ancient philosopher Han Fei (韓非, c. 280 – 233 BC, whose eponymous text being the most important work of the school of Legalism / *fazia* (法家, *fajia*), the tenacious Sinitic backbone of CCP’s Leninist-Maoist-Legalist mode of governance since Mao’s era till today) referred to as “prohibit his words” (禁其言) and “prohibit his heart” (禁其心), i.e. to kill people’s intellectual and spiritual activities and to annihilate their freedom of thought. Joseph Stalin understood that best when he said, “Ideas are more powerful than guns. We would not let our enemies have guns, why should we let them have ideas?”¹⁴⁶

There are different ways of restraining freedom of thought, and strengthening academic dictatorship and monopolizing academic ideas

constitute one of them. As Stalin also said, “The most important weapon in my arsenal is the dictionary. Let me choose the words ... by which you think and I will tell you what and how to think.” For example, Confucianism in the Han dynasty was reformed by Dong Zhongshu (董仲舒, Tung Chung-shu, 179-104 BC) into a dogma that met the needs of the rulers. The Confucian literary classics were established as official schools and strongly supported by the government and became the mainstream ideological doctrine of the two Han dynasties (兩漢), while other ideological doctrines were rejected.¹⁴⁷

The selection and appointment of bureaucrats is an important measure of a system and the level of democracy in a country. As for the monopoly of the bureaucracy, the authoritarian government over China’s dynasties held imperial examinations to ensure that the recruited people are absolutely loyal to the monarchy. In order to strengthen the control over the scholars, the monarchs conducted the examinations personally through the hall test. The government also strictly limited the textbooks for the imperial examinations. People could only read and take examinations according to official regulations, style and standards, as the mind-constraining, conformist, trite and pedantic eight-legged essay / *baguwen* (八股文, *pa ku wen*) was strictly enforced for passing these imperial examinations during the Ming and Qing Dynasties.¹⁴⁸

By the time China entered her next era of prosperity during the Qing Dynasty, it is noteworthy that while Emperors Kangxi’s, Yongzheng’s and Qianlong’s reigns did bring about long-term peace, stability and prosperity after years of war and chaos, they were also eras of ruthless suppression of dissent. Kangxi is considered one of China’s greatest emperors who managed to bring all of Han China proper, Taiwan, the Manchuria region as well part of the Russian Far East also known as Outer Manchuria, both Inner and Outer Mongolia (today’s State of Mongolia), and Tibet proper under Qing Empire’s control, and began the

“Kang-(Yong-)Cian Era of Prosperity” or “High Cing” (1683-1839), which outlived him. Yongzheng’s reign (1722 till his death in 1735), while much shorter than that of his father (Kangsi, 1661 till his death in 1722) and of his son (Cianlong, 1735-1796 but retained ultimate power as emperor emeritus until his death in 1799), represented the continuation of the era of peace and prosperity / *taiping shengshih* (太平盛世, *t’ai-p’ing sheng-shih* / *taiping shengshi*) initiated by his father, further establishing Cing-Dynasty China as the most powerful empire in Asia and extended the *Pax Sinica* began under his father’s reign. Cianlong’s reign saw the continuation of the era before decline set in towards the end of his rule.

Nevertheless, largely ignored by the masses who are mesmerised by the image of national glory promoted in today’s commercialised popular culture is the ruthless and gruesome suppression of dissent during that era of *Pax Sinica* under the three Cing emperors, not to mention the human miseries inflicted upon people in the frontier regions in Cing China’s military campaigns to expand and maintain its empire. Among China’s dynastic rulers, the Cing emperors are particularly notorious for their use of literary inquisitions / *wenzihyu; yi yan juzuei* (文字獄; 以言入罪, *wen-tzu yü; i yan ju tsui* / *wenziyu; yi yan ru zui* – i.e. speech crime, referring to imperial Chinese courts’ official persecution of intellectuals for their writings). Literary persecution has been recorded since the Cin Dynasty over two thousand years ago, and has been practiced by almost all successive dynasties ruling China. While there are records of literary persecutions during the Ming Dynasty which were particularly severe at the beginning when Zhu Yuanzhang (朱元璋, Chu Yüan-chang), i.e. Hongwu Emperor (洪武帝, or Ming Taizu / 明太祖), first founded the dynasty, literary inquisition was most severe during the Cing Dynasty which began with isolated cases during the reigns of the founding emperor Shunzhih (順治,

Shun-chih/Shunzhi, actually the third emperor of the Cing Dynasty but the first Cing emperor to rule over China) and Kangsi, and then evolved into a pattern, reaching its zenith during the reign of the last emperor (Cianlong) of the “Kang-Yong-Cian Era of Prosperity”. An estimated 151,723 volumes of about 3,000 literary titles were destroyed by the inquisition during the Cianlong period, and censorship, deletion and modification were conducted upon many of those volumes that had been categorised into the *Sihku Cyuanshu* (四庫全書, *Ssu-k’u Ch’üan-shu* / *Siku Quanshu*, the *Complete Library in Four Branches of Literature* officially commissioned by Cianlong Emperor). In these campaigns of literary inquisition, if the authority decided that any words or sentences were derogatory or cynical towards the ruling regime, a search for copies (sometimes thousands) of the offending work would be conducted to destroy them, and the author or artist could be executed by beheading or the even more gruesome *lingchih* (凌遲, *ling-ch’ih/lingchi*, or 殺千刀 / 千刀萬剮, the lingering death by slow slicing) – an extremely gruesome punishment of torture and execution practiced in imperial China from around AD 900 until it was banned in 1905, in which the convict had portions of his/her body cut away piece by piece over an extended period of time as a process of execution. If a convict in a literary inquisition was already dead, the corpse would be dug out and mutilated as punishment.

The fate of these authors and their relatives who fell victim to literary inquisition “well illustrates the dangers of publishing in an empire where the ruler had almost unlimited power even over the world of knowledge, particularly when the ruler happened to be so insulated from the realities of life in his empire as Cianlong was”¹⁴⁹, as Professor R. Kent Guy comments in the section “The Growth of the Literary Inquisition (1776-1782)” in his 1987 work *The emperor’s four treasuries: Scholars and the State in the late Qianlong period*.

Today, turning the screws on dissidents by persecuting their family members has also become a common practice by the CCP Party-State, as mentioned earlier in this article. Though no doubt much less cruel than the punishment or even execution of a persecuted subject's extended family and entire clan in imperial China (抄家滅族, 株連九族 / 誅九族), this strategy of persecuting dissidents' families to exert pressure on the dissidents clearly marks CCP's PRC as the true heir of the millennia-long Chinese culture of imperial despotism.

Nevertheless, whatever extent imperial China can achieve in thought control and repression of dissent, it definitely fades in comparison with what today's CCP Party-State can do in the age of modern science and technology.

13. Building a Perfect Police State

In 2010, dissident artist Ai Weiwei (艾未未) said, "The Internet is the best gift to China – this kind of technology will end this kind of dictatorship." He was commenting to AFP over the telephone during the house arrest the government put him under in order to stop him attending a gathering at his new Shanghai studio, which was due to be demolished: "This society is not efficient, it's inhuman in many ways politically. The government, the whole system ... sacrifices education, environmental resources and most people's interests just to make a few people become extremely rich only because they are associated with the government. This cannot last too long ... This society basically has no creativity. It's just cheap labour and very police-controlled. How long can that last?"¹⁵⁰ As he still had managed to regularly update his Twitter account despite his house arrest, he thus believe that the Internet was a powerful force for change in China. Alas, he was speaking so at a time when mobile phones and the Internet were still tools of citizen empowerment, as

former Philippines president Joseph Estrada complained in 2001 that he was the first president ever to be brought down by SMS.¹⁵¹ The advent of the Internet and smart phones surely gave rise to a new community of activists and citizen journalists, and empower the civil society as activists could spread their dissenting views online, confronting and challenging their governments as well as more easily coordinating protests. Wai Han Lo's study of citizen camera-witnessing during Hong Kong's Umbrella Movement shows that "the camera phone not only contributes to witnessing the brutal repression of the state, but also witnesses the beauty of the movement, and provides a testimony that allows for rituals to develop and semi-codes to be transformed" (Lo, 2016: 804).

However, as power asymmetry goes, the authoritarian governments soon turned the tables in no time. Using new technologies and IP addresses, it is getting easier and easier for the governments to work out who users are, where they might be and to track their Internet activities.¹⁵²

13.1. Brave New World Meets Nineteen Eighty-four, Big Brother Gets Big Data

On 1st May 2018, China launched the world's largest dictatorship's so-called "social credit system" on a nationwide scale. Described by Associate Professor Sonika Gupta of China Studies Centre, Indian Institute of Technology Madras, as "a harmless sounding phrase" representing "the unholy marriage of big data with the proverbial 'Big Brother'" (Gupta, 2018), this represents the Beijing authorities' ambitious attempt to use big data to "score" citizens to further strengthen their control over the PRC's citizens. First announced in 2015, this is a plan for an online grading system for all citizens as a basis for punishment and rewards. Of course, such grading is neither new nor a

peculiar Chinese government invention. For people shopping on eBay, it is just normal for others to evaluate their willingness to pay. In turn, if eBay's sellers keep their promises, they will also obtain the corresponding star rating from the buyer. Banks when making loans will also assess the potential customer's financial guarantee. However, what China's government is currently developing is set to go far beyond this.¹⁵³ What is being considered is not only strictly recording the Internet surfing habit of every citizen, but also evaluating it. For example, Internet users who order online healthy baby food or CCP leaders' books will receive additional points, so will those who order environmentally-friendly paper or local vegetables. On the contrary, people who watch pornographic videos on the Internet or over-indulged in ordering fashion wear may lose points, so may people who were found in the database to have engaged in illegal smoking on the train, illegal parking or cheating in examinations.

While the ideas of this system are still being developed, but from the draft released it can be seen that this scoring system will not only involve purchasing behaviour and payment willingness, but for the government to fully record its citizens' actions on social networks, and dispense scores. An article published by *Deutschlandfunk* on 26th May 2017 includes an interview of the famous Chinese writer Murong Xuecun (慕容雪村, pen name of Hao Qun / 郝群) who thus comments on the system: "The Chinese government hopes to be able to more effectively monitor the nation's population of 1.4 billion and it is well aware that existing tools such as the police, secret surveillance, etc., can no longer be effective in the era of social media; therefore in order to develop better social control systems it is establishing a 'social credit' system – this is part of the 21st-century cyber society's totalitarianism."¹⁵⁴ The considerations behind such a social credit system are extremely simple: everything that the people do practically will leave

traces on the Internet; the government collects such information as much as possible and evaluates it collectively and assigns everyone a points account. The State can then use this to dispense rewards or punishment.

Within years after going fully operational 2020, as an official Party outline claims, the social credit system, enforced by ubiquitous surveillance cameras equipped with facial recognition, body scanning and geo-tracking to cast a constant gaze over every citizen, together with smartphone apps used to collect data and monitor online behaviour on a day-to-day basis as well as big data from more traditional sources like government records, including educational and medical, State security assessments and financial records, will “allow the trustworthy to roam freely under heaven while making it hard for the discredited to take a single step”.¹⁵⁵

The original idea of establishing such a system might be to punish Chinese tourists with bad behaviour while traveling abroad, but as Internet activist Wang Bo points out, this citizen rating system is definitely not only as a way to make citizens who travel abroad more polite or make companies more honest, for if the government can record the behaviour of every citizen on the Internet, the government’s perfect surveillance of all its citizens would finally become a reality. Technically there will be benefits for law-abiding citizens from such a system of all-round monitoring of the entire people of the country through the government’s collection of all the data on its citizens and evaluation of their social and network activities, e.g. after the assessment, “good” citizens can get airtickets at lower prices or loans on preferential terms, can work for the government sector or State-owned enterprises, and their children may find it easier to get a good job training position, and even a fast track to the best universities and jobs, while those who receive a bad rating from the assessment will be in deep trouble, as they can be banned from travel, or barred from getting credit or government jobs –

essentially locked out of society.¹⁵⁶

An article “Alles unter Kontrolle” in a September 2017 issue of the German magazine *Neon* gives the personal experience of a 23-year-old Chinese girl named Li Li who is anchoring a live broadcast website in China: “If you say the wrong word, you may end everything.”¹⁵⁷ Li Li knows this and hence she never talks about politics or history, especially on the topic of homosexuality. These are topics she will never talk about and she will never allow herself to talk about, not even to think about – for if you do not think about it, she says, then there will not be a possibility that you would accidentally talk about it. Anyway she says that she does not worry about such issues because she is an upright person. But she explains that what she says on screen is not what she really thinks because that is not possible, as the State is not just examining the media and social networks, but is now concentrating on collecting all data and creating a social credit system. In short, a citizen’s social credit will be affected by not only Internet browsing and shopping decisions, but also who one’s friends and family are and what they have done, e.g. saying something positive or negative about the government, and whether one’s date or spouse is loyal to the CCP.¹⁵⁸

However, for the experts of Jindie (金蝶) Software Company in Xuzhou (徐州) who are developing the software platform of the social credit system there exist no maleficent intents in introducing the technology. The company’s deputy general manager cited the Rongcheng City in Shandong (山東榮成市) where more than 50 government agencies provide data such as on marital status, criminal records, traffic violations, and loan records for this platform as an example: the main function of the platform is to collect all the data of the public management departments and agencies; the company will manage and evaluate these data, and the government can then use the information. According to the plan, a comprehensive social credit system

will be completed by 2020 and from then on individual reward and punishment mechanisms will be implemented based on such credit scores. If this system is really implemented in less than two years' time, it means that one-fifth of the world's people will be placed under this monitoring system. Once the "social rating" programme is implemented, the first impact it brings is on people's daily life. Shanghai has already launched a mobile phone app item "Credibility Shanghai" that collaborates with databases of more than 100 government agencies from which it draws 3,000 citizens' data for "credibility scoring", ranging from good, very good, bad to very bad. Those with high scores may purchase airtickets at lower prices, while those with "very bad" scores may not even be able to buy train tickets. The software is able to compute all these levels of "credibility".¹⁵⁹

The People's Bank of China (中國人民銀行) has 800 million people's financial data in its database; however, only 220 million people have ever been loaned money. The leader in credit evaluation is now Ant Financial Services Group (浙江螞蟻小微金融服務集團有限公司 / 螞蟻金服), an affiliate of the business giant Alibaba (阿里巴巴) Group with number of customers as high as 400 million people. Sesame Credit (芝麻信用), founded in 2015, is a private credit scoring and loyalty program system developed by Ant Financial Services Group. To compile its score, the company can use data from Alibaba and information from bicycle rental companies and restaurants that use Alipay as a payment method. Alipay is a third-party mobile and online payment platform established 2004 by Alibaba Group and its founder Jack Ma (馬雲). In addition, Ant Financial Services can get access to the Supreme Court's files and the blacklist of those who do not repay their debts.¹⁶⁰ In order to establish a social credit system, Chinese authorities are working with Ant Financial and other service providers, but these assessments are not enough for them, as the government is

intending to know exactly how reliable each of the nearly 1.4 billion Chinese people is. In addition, private companies, State departments, and non-governmental organizations will also be evaluated by this social credit system in the future. Though the system at the moment has only one framework, China's authorities eventually want to assess its citizens' social credit with four criteria: attitude towards the governing agency, whether law-abiding, past financial activities and "social performance".¹⁶¹

The appraisal of the pilot city Rongcheng is divided into four levels: A, B, C and D. A person entering level A is placed in the red list, and the remaining three are in black. People in the red list enjoy preferential treatment, such as school enrolment approval for the person's children, as well as social security services. People classified as C-level are subject to inspections every day and they will receive written instructions and must comply with some restrictions. The worst grade is D. Those people at level-D cannot assume leadership positions, and cannot receive credit and social security. Hence, in the future, writers like Murong Xuecun who criticise the government will be in a particularly difficult position because attacking the ruling Chinese Communist Party on social media or releasing petitions of a critical nature will be punished with reduction of points and these people have to face the consequences. The Chinese government as well as its defenders and apologists across the world of course would say that Beijing simply hopes to use the credit rating to make Chinese people morally correct citizens. The purpose is of a system that aims to collect a large amount of personal data on each citizen, including their social behaviour and network activities, and making assessment based on the data is supposed to cultivate good citizens who abide by the law.

According to China's *Guangming Daily* (光明日報) as reported on 22nd June, since the Chinese government piloted the social credit system

(planned to launch by 2020) in a number of cities since 2015, including the credit rating of consumers by several technology companies as an indicator of credit availability as well as assessing and collecting personal information such as civil society behaviour and online activities, 7.33 million people have faced problem of purchasing airtickets for reason of crime of dishonesty (失信), and 2.76 million people have faced problem of buying high-speed rail tickets.¹⁶²

According to Björn Alpermann, Professor of Sinology at Germany's University of Würzburg, in an interview by *Deutsche Welle*, so far most people who see this news feel that it has nothing to do with themselves and there is nothing to worry about. The main arguments seem to concern more with how the private Internet service providers are dealing with such a huge amount of data and what data have been collected, rather than whether the State has the right to impose sanctions on "untrustworthy" persons. According to Alpermann, public opinion and studies by institutions such as the Berlin-based Mercator Institute for China Studies (MERICS), social media users are mainly criticizing private service providers (IT companies that are commissioned by the government to collect and evaluate data) rather than national institutions, and even if they do criticize the latter, they are only complaining that the cooperation between the State departments is weak, and not that the country will establish a monitoring and surveillance system. Judging from public opinion expressed such political consciousness cannot really be seen, but of course it cannot be ruled out that people might have such ideas in private.¹⁶³ Criticisms are mainly around the very opaque process as to what are being used as evaluation indicators by these companies; similarly with the national assessment system. As really large amounts of private data are collected, including some that appear to have nothing to do with corporate business interests, hence question arises as to what they are going to do with the data, and whether they have the right to

know so much of people's personal information. As example, Alpermann refers to some pilot areas where the related software is connected to traffic cameras. When the camera records with automatic facial recognition technology someone driving through red light, this information will automatically affect the person's social credit score, although this information does not indicate that someone is credit untrustworthy, nor it explains anything to the private lender, and yet it is included in the scoring system.

13.2. My Glass Citizen, Have You Swiped Your Face Today?

Regarding surveillance cameras in public places in China, they have become part of everyday life for the country's citizens. There are huge business opportunities involved, but there are also huge potential risks. Nevertheless, China's mass surveillance schemes are not a new phenomenon, as Beijing had already begun building a nationwide surveillance network in 2005 called Skynet to better control public order in urban areas, and then launched a dramatic expansion and update of Skynet in 2015 into Sharp Eyes, intended to cover the entire country with facial recognition systems and other technologies.¹⁶⁴ At present, about 176 million surveillance cameras have been installed in China, and the number is set to rise to to 600 million by the year 2020. Many of these cameras are also networked with artificial intelligence and facial recognition systems.¹⁶⁵ It may sound unbelievable, but a public toilet on the side of the Temple of Heaven (天坛) in Beijing actually has a high-tech device installed on the wall inside it that scans the human face before spitting out toilet paper. This machine only gives 60 cm long toilet paper to everyone. Face recognition technology ensures that if someone wants to request toilet paper several times, the machine will politely refuse the request. In recent years, China's artificial intelligence technology has achieved a leading position in the world. Some colleges

and universities in Beijing have installed face recognition equipment at the entrance of the dormitory to prevent unauthorised people from entering. In Jinan City, a huge display was erected at the crossroads to show in real time the jaywalking pedestrians. Hangzhou's KFC restaurant uses facial recognition technology to allow customers to "face pay".

Two Chinese startups, SenseTime and Megvii, are becoming the world leaders in real-world deployment of facial recognition software, and attracted world attention due to their use by China's police to find criminals, leading some critics to wonder at how the technology is being used to further the country's Huxleyan techno-authoritarian ambitions.¹⁶⁶ Government authorities, particularly police departments at the local level, have become major clients. The government's big plans to have a ubiquitous surveillance network that can track every single one of its 1.4 billion citizens – "from using facial recognition to name and shame jaywalkers, to forcing people to download apps that can access all the photos on their smartphones"¹⁶⁷ – has led to China becoming the biggest market in the world for video surveillance (US\$6.4 billion in 2016) with expectations that it will grow at a compound annual growth rate of 12.4 percent, according to estimates from IHS Markit Ltd., in contrast to the US market which is only at US\$2.9 billion and growing at 0.7% a year. Unlike in the Western countries (the EU, for example, is coming up with a new data privacy regulation that would restrict the amount of personal, biometric, and social media data that companies can collect), China's companies like SenseTime and Megvii are able to put their technology in any number of real-world applications partly because privacy as a high priority does not exist in the mindset of a vast majority of the Chinese citizens, hence there is not much backlash to AI and facial recognition in general.

13.3. Anywhere, Everywhere, the Ubiquitous State Is Watching You

In China, since every citizen over the age of 16 must have an identity card with photograph and address, the authorities have mastered a large database on their citizens. Due to the lack of strict data protection regulations in China, the use of facial recognition technology is significantly more frequent in China. Chinese citizens are accustomed to getting photographed, fingerprints taken and all personal information collected.¹⁶⁸ Tech companies in China are required to share data with the government upon request.

A recent *Business Insider* report gives the following interesting list of ways the CCP regime is using to monitor China's citizens in various pilot test areas, which will be evaluated and considered to be expanded nation-wide in 2020 after the present pilot period ends. (1) Using facial recognition technology that can pick people out of massive crowds: a facial recognition system with 99.8% accuracy has already started being used in at least 16 cities, municipalities, and provinces¹⁶⁹ across China, and it has already proven to be eerily effective, e.g. a wanted suspect was located and arrested out of a 60,000-person pop concert earlier in April 2018 in the southeastern city of Nanchang. (2) Getting group chat admins to spy on people: China's government holds people criminally liable for content posted in any group chat they initiate on messaging apps including private and encrypted apps, such as WhatsApp, and it requires tech companies to monitor and keep records of conversations for six months, and report any illegal activity to authorities. (3) Forcing citizens to download apps that allow the government to monitor their photographs and videos kept in their cellphones: for instance, according to Open Technology Fund, Uyghurs in Xinjiang have been forced to download an app called "Jingwang" (淨網, i.e. "cleansing the web") that extracts information of a cellphone including the phone number and model, and scours through its files, scanning photographs, videos, audio

files, ebooks, and other documents, and warns users to delete files it deems dangerous and sends information about those files to an outside server. (4) Observing people's online purchase patterns: Alibaba has once said that its optional credit system, Zhima (Sesame) Credit, ranked its users based on their online activities, e.g. people who spend long hours playing video games would be considered an "idle person", while those who buy diapers online were "more likely to have a sense of responsibility" as they were likely to be parents (Botsman, 2017). (5) Law enforcement officers wearing special glasses to identify people in crowded places, e.g. on the streets and at train stations: facial recognition glasses unveiled in early 2018, linked to a database that can match people with criminal suspects, can identify faces from a database of 10,000 in 0.1 seconds, as a CEO of LLVision Technology which developed the glasses told *The Wall Street Journal*, and have already helped authorities identify people suspected of misdeeds ranging from traffic infringements to crimes like human trafficking. (6) Installing "robot police" in train stations that scan people's faces and match those of wanted fugitives, as piloted in the central Chinese city of Zhengzhou, besides reportedly being able to monitor the air quality and clean the air, and locate fires in the vicinity as well. (7) Using facial recognition technology to eliminate jaywalking: facial recognition cameras which have already been installed in several Chinese cities around their streets match jaywalkers' faces immediately to a central police database, with the jaywalkers' photographs, surnames, and redacted ID numbers displayed on a massive screen next to the road, and in some cities like Shenzhen the information is also uploaded to official social media accounts and websites, or as in Fuzhou the police even tell jaywalkers' employers about their "misdeeds". (8) Stopping pedestrians at random to check their cellphones: armed police and paramilitary forces in Xinjiang have been stopping random pedestrians to check their cellphones and

laptops for banned apps and messages deemed dangerous to the CCP regime, resulting in many Uyghurs being detained and arrested. (9) Tracking people's social media posts, which can be linked to the user's family and location: Shawn Zhang in Vancouver, Canada, told *Business Insider* that after he retweeted an anti-Xi Jinping post from his *Weibo* (微博) account in March 2018, his mother in eastern China's city of Wuyi received a call from the police just hours later to tell her that her son's post was not good and request that it be removed immediately – exactly how police managed to find Zhang's posts or trace his account to his mother's address remains unknown though Zhang felt that probably he was on their watch list and his social media account was under their close monitoring. (10) Building predictive software to aggregate data about people without their knowledge and flag those they consider to be threatening CCP's rule: according to Human Rights Watch such predictive software gathers the data from CCTV cameras, ID checks and "Wi-Fi sniffers" (tools that intercept wireless networks) and hoovers up and decodes the data transmitted through them for the central system – the "Integrated Joint Operations Platform" (IJOP) – to analyse people's profiles and predict whether they could harm the CCP regime, and alert local authorities to potential troublemakers, effectively allowing government authorities to arbitrarily detain people they see as political dissidents.

13.4. After Lop Nur, Xinjiang Again the Testing Ground

In the predominantly ethnic Uyghur Kashgar prefecture in Xinjiang, IJOP is already used regularly,¹⁷⁰ as part of one of the world's most sophisticated and intrusive State surveillance systems that the CCP regime has created to target the predominantly Muslim Uyghur ethnic minority in Xinjiang under the guise of combating religious extremism, in what Beijing calls its anti-terrorism campaign. Over the past two

years, according to *Foreign Policy*, this system that includes mandatory facial recognition scans at gas stations and Wi-Fi sniffers that secretly collect data from network devices has helped authorities round up an estimated at least hundreds of thousands of Uyghurs and other Muslims and lock them up in clandestine camps that China calls “re-education centres”.¹⁷¹

On 10th August 2018, Gay McDougall of the UN Committee on the Elimination of Racial Discrimination cited estimates that 2 million Uyghurs and other Muslim minorities were forced into “political camps for indoctrination” in Xinjiang: “There are estimates that upwards of a million people are being held in so-called counter-extremism centres and another 2 million have been forced into so-called re-education camps for political and cultural indoctrination ... That in the name of combating religious extremism and maintaining social stability [China] has changed the Uighur autonomous region into something that resembles a massive internship camp that is shrouded in secrecy, a sort of ‘no rights zone’.” Amnesty International and Human Rights Watch and various other human rights groups have submitted reports to the UN committee documenting claims of mass imprisonment in camps where inmates are forced to swear loyalty to China’s President Xi Jinping. while the World Uyghur Congress said in its report that most detainees are held indefinitely without charge and without legal representation, poorly fed, forced to shout Communist Party slogans, and undergoing widespread torture.¹⁷² According to *The Wall Street Journal* and an expert image analyst, recent satellite photographs of US’s Planet Labs show that the camps have been expanding, as a plan originally aimed to lock up “Uyghur extremists” has now been extended to a wide range of Uyghurs, including also women, children, the elderly and the weak. Uyghurs overseas have claimed that many elderly relatives in Xinjiang have died in the camps or died shortly after their release from the camps.

According to German researcher Adrian Zenz at the European School of Culture and Theology, an expert on China's policy on ethnic minorities in Tibet and Xinjiang, as ruling with an iron fist is costly and tends to create tension, the CCP regime now believes that the long-term solution is to "change the people" and hence "re-education" becomes the next step,¹⁷³ reminiscent of Mao's Cultural Revolution years. However, such brutal infringement of the Uyghurs' human rights and relentless suppression of their aspiration for ethnic self-determination are doubtlessly further fuelling their hatred for the central *Heidaye* (黑大爺, "black master")¹⁷⁴ overlord and harming future interethnic reconciliation and accommodation already long damaged by the memories of the Cultural Revolution-era brutalities.

Ironically, as *Foreign Policy* notes, while for those detainees and for millions of Uyghur inhabitants in Xinjiang, such CCP regime's experiment in technological control has transformed their homeland into an Orwellian prison state featuring some of CCP regime's worst human rights abuses, for Chinese surveillance companies including some of the leaders in their field which are often backed by Western investors and suppliers, it has turned this frontier province (euphemistically officially called "autonomous region") into a lucrative market and a laboratory to test the latest gadgetry.

Whereas similar scoring system elsewhere like in Western countries focuses only on information related to credit which a lender or landlord can use to understand the customer's financial status and credit, the Chinese government's plan is to establish a social responsibility and credit evaluation system that goes far beyond the scope of financial information and includes also, for example, violations of traffic rules, and children not visiting parents regularly, or violating "public morality", and hence penetrates into people's private life.

Even more worrisome is that criticising the government or other “unwelcome” personal actions may also enter the evaluation system. All these are possible as everything is at the moment very opaque; yet nation-wide plans and local pilot projects have shown that it is going to be a very comprehensive information collection system and involve all aspects. To be fair, as Alpermann feels, China does clearly have problems in social credit and mutual trust, hence the government believes that it is necessary to adopt such measures to repair and rebuild the minimum mutual trust between individuals, between economic participants and individuals, and between the government and individuals. However, it is still unclear as regards what kind of method will be implemented country-wide. Pilot projects also have different directions. It can be seen that the government has tried its best to integrate the automatically acquired information into the system, such as information obtained by traffic cameras. However, it is still difficult to say whether this is done nationwide. In other words, this will involve a lot of investment, and it will take some time. The pilot phase will be until 2020, after which it will be summarized and decision will be made as to how to implement it nationwide. Some aspects still need a lot of investment, while others are easier to implement, such as inter-departmental sharing of information on citizens that has already been collected.

As regards what is in store for the people in the future, Alpermann foresees two scenes of horror. People do not know to what extent this plan will be implemented and to what extent the citizens will be monitored by the State. The first conceivable scene of horror is the State’s overall monitoring and sanctions. Since the CCP regime has been imposing round-the-clock surveillance on innocent civilians whom the CCP sees as a threat to its rule, e.g. on Chen Guangcheng, on Liu Xia and many other democracy and civil rights activists and their family

members, often even with the use of local thugs, the advent of the age of Big Data will make such surveillance even more sophisticated and efficient. As *ABC News* reported, to date already about 10 million people have been punished in the trial areas of social credit.¹⁷⁵ The report cited a Liu Hu who lost his social credit when he was charged with a speech crime and now finds himself locked out of society due to his low score. Having lost a defamation case for accusing an official of extortion and refusing to pay an additional fee after being made to publish an apology and pay a fine, the 43-year-old Liu found himself blacklisted as “dishonest” under a pilot social credit scheme that has practically closed down his travel options and kept him under effective house arrest in his hometown of Chongqing.¹⁷⁶ His attempt to use a phone app to book train tickets to Xi’an was rejected as his access to high-speed rail is legally restricted. His social media accounts where he published much of his investigative journalism have also been shut down and he claimed that his combined *Wechat* and *Weibo* accounts were also censored. The social credit system is thus destroying his career and has isolated him, and is making him fear for his family’s future. Hu told *ABC News* that he wanted to warn the world of the nightmare of China’s social credit system, as he believes most Chinese do not yet understand what is to come under the digital totalitarian State, though he knew that doing so could put his friends and family at risk of reprisals from the State.

And nowhere has China’s State surveillance been as broad and intrusive as in Xinjiang where in an attempt to establish total control, the CCP regime has introduced local apps capable of covertly passing data to authorities, detained Uyghurs for studying abroad, and even arrested the families of Uyghur reporters working for a U.S. State-funded outlet, and established a secretive network of re-education camps where Uyghurs and other minorities are detained for exhibiting behaviour deemed too Islamic or anti-China.¹⁷⁷ In the county of Karakash where

Hikvision, the company partly owned by a State defense contractor (the China Electronics Technology Group Corporation / CETC, which is developing a facial recognition system in Xinjiang that automatically notifies authorities when certain people leave designated areas) and whose chairman was appointed to China's rubber-stamp parliament, the National People's Congress, is building a US\$46 million surveillance project, almost half its Uyghur population were reportedly missing although there is no indication that Hikvision has supplied the re-education camps themselves, in which former inmates have alleged torture and brainwashing. Adrian Zenz, the abovementioned researcher at the European School of Culture and Theology who has documented the construction of dozens of re-education camps since 2016, says that the number of inmates in these camps is somewhere between hundreds of thousands and over 1 million. According to Human Rights Watch, a predictive policing system (IJOP) supplied by a different CETC subsidiary identifies suspects based on everything from surveillance footage to bank records and flags them for investigation by authorities as possible candidates for the re-education camps.¹⁷⁸ *Foreign Policy* also reported another project won by Hikvision, in Xinjiang's capital city of Urumqi, that includes not only some 30,000 security cameras but also video analytics hubs, intelligent monitoring systems, big data centres, police checkpoints, and even drones, and another contract in 2017, according to Human Rights Watch, to supply equipment to the IJOP which included "Wi-Fi sniffers" probes that gather the unique addresses of devices like laptops and smartphones and that can be used to covertly read people's emails.¹⁷⁹

Besides installing surveillance apps on residents' phones and the 40,000 facial recognition cameras that are being used to track, and block, the movement of Uyghurs, authorities have also begun collecting DNA samples, fingerprints, iris scans, as well as voice samples that may be

used to identify who is speaking on tapped phone calls.¹⁸⁰ Besides attempting to control the thoughts and actions of residents of Xinjiang, detention is also being used to control and censor foreign-based criticism of the CCP regime, with numerous reports of Xinjiang police threatening or actually detaining relatives of exiled dissidents in order to force them to return home or end criticism of China, including the recent detention of family members of five Radio Free Asia journalists, including two US citizens.¹⁸¹

13.5. Towards the World's First Digital Dictatorship ... and Beyond

The great success of the CCP regime in surveillance and censorship of the Internet has already made it the role model for authoritarian regimes across the globe to whom China has also been reported to be exporting related technologies. Another horror scene will emerge, on a global scale, when the Chinese government also exports the technology of the social credit system project to other authoritarian governments, probably to begin sharing the knowhow among members of the rising pact of “The League of Authoritarian Gentlemen” (Cooley, 2013) – the Shanghai Cooperation Organisation (SCO).

This large-scale Chinese data project is nevertheless unparalleled, and the fact remains that there is no other country in the world that uses such extreme methods in the digital age to control its citizens. While it is still probably too early to tell exactly how the system would look like, or to call it a “perfect State surveillance system”, the direction where the present plan is leading to is indeed worrying and the security of the database will also be problematic.¹⁸² Nevertheless, aimed to control and coerce more than a billion people, doubtlessly this is probably the largest social engineering project ever attempted in human history, and if successful, as an *ABC News* report calls it, will be the world's first digital dictatorship.¹⁸³

14. Conclusion: A Huxleyan Techno-authoritarian *Brave New World* Joins the Orwellian 1984 in China's New Golden Era of Prosperity

“Today’s dictators understand that in a globalized world the more brutal forms of intimidation – mass arrests, firing squads, and violent crackdowns – are best replaced with more subtle forms of coercion”, notes William Dobson. “Rather than forcibly arrest members of a human rights group, today’s most effective despots deploy tax collectors or health inspectors to shut down dissident groups. Laws are written broadly, then used like a scalpel to target the groups the government deems a threat.” Or like that Venezuela activist’s joke cited by Dobson that (the late) President Hugo Chávez ruled through the motto: “For my friends, everything, for my enemies, the law.” (Dobson, 2012, ppb 2013: 5) Instead of “rule of law”, it is “rule by law”. For instance, complicated tax rules are often used by the CCP government to intimidate or punish dissidents.¹⁸⁴ And China is definitely not alone in this in this part of the world: Hun Sen, the prime minister of Cambodia whom CCP has tutored much in the art of dealing with dissidents, has closed his country’s best independent newspapers on trumped-up charges,¹⁸⁵ liquidated the Cambodian National Rescue Party in November 2017 in a move that has definitely made his mentor CCP proud, that Charles Santiago, Chairman of ASEAN Parliamentarians for Human Rights and a member of the Malaysian parliament from the then Malaysian opposition party the Democratic Action Party (DAP), called “the final nail in the coffin for Cambodian democracy”, exiled former CNRP president Sam Rainsy and arrested then CNRP president Kem Sokha.¹⁸⁶ As a payback to its mentor, Hun Sen’s government has several times broken ranks with the ASEAN consensus, especially when it refuses to criticize China’s behaviour in the South China Sea.

China's Belt and Road Initiative (BRI), including the 21st-Century New Maritime Silk Road (MSR) that has great significance geopolitically for Southeast Asia, is aimed to serve as an important element of China's global strategy and diplomacy. The member states of the Association of Southeast Asian Nations (ASEAN), among them Cambodia and Malaysia, are the most prominent targets of this strategy, where enhancing close cooperation will serve to reinforce China's influence in Southeast Asia. However, the Chinese government's close relations with some of the most authoritarian and kleptocratic regimes of the region, again among them notably Cambodia and pre-May 2018 Malaysia, where BRI-related investments have made the most significant inroads, have raised the fear for a China factor in these regimes' suppression of dissent, civil liberties and political freedom.

This paper discusses recent years' worrying development in the CCP regime's tightening of its persecution of dissidents, as most vividly symbolised by the death of its high-profile prisoner of conscience Liu Xiaobo, and its increasing and worsening intolerance for demands for political freedom and pluralism from the civil society. However, it is right for the late Arif Dirlik in his article with Roxann Prazniak (2013) to place this in the perspective of a global trend towards authoritarianism: "Deepening inequality is a pervasive phenomenon of global neoliberalism, of which the PRC is an integral part. Around the globe the predicament of democracy has set off a dialectic of protest and repression that has further thrown its future into jeopardy in any but a formal sense. Within a global context in which democracy is at risk and human rights in shambles, what does it mean for the PRC to be moving toward a more democratic regime?" (Dirlik and Prazniak (2013: 33)

Considering the impressive outreach of China's economic power as the main driver of its "sharp power", if not "soft power", this paper contends, in an ominous application of *Innenpolitik-Außenpolitik* nexus,

not only that such influence makes the global economy a friendly place for Chinese commerce and elevates nationalistic popular support for the Chinese Communist Party's "mandate from heaven" to be the sole party legitimate to rule all China as the government takes pride in bringing back the most glorious Yongle and Kang-Cian "eras of prosperity", but also that the much touted Chinese "soft power" derived from Xi Jinping's Belt and Road Initiative has been put to excellent use to extract complicity from foreign governments in assisting the PRC's domestic oppression on political freedom and civil liberties to reach beyond the country's borders. To the international admirers of the "China Model" who look to it with envy against the "inefficiencies" thrown up by popular pursuit of justice in liberal democratic societies, "criticism directed at the PRC for its democratic deficit is more than compensated for by pressures to keep up a pattern and pace of development that gives priority to its functioning within the global system over the economic and political welfare of the population" as frequently overlooked is the fact that "economic and social inequality are products of the very development policies for which the PRC is widely admired." (*ibid.*)

Taking a closer look at the particularly noteworthy case of Malaysia with dramatic turns of events in recent years, this article also focuses on the country's societal sentiments besides from a broad overall perspective of international strategic relations and diplomacy. Now with the long-ruling Barisan Nasional (BN, "National Front") government ousted, the new Pakatan Harapan (PH, "Alliance of Hope") government has reassured the people that it will make good on its election promise of rescruiting the former prime minister Najib's China deals in order to either renegotiate the "unequal" terms and if possible to cancel infrastructure projects that are neither viable nor necessary, projects related to corruption of the ousted regime, e.g. the China-funded East Coast Rail Line (ECRL), and other projects that will result in the

country's over-indebtedness to China and in turning the country into a pawn in the advancement of China's ambitious regional agenda at the expense of Malaysia's own national goals. However, this paper sees the Malaysian society as a complex multi-entity construct, constituted by often sharply differentiated fragments and sub-fragments which could exhibit vastly different responses to the implications of the rise of China. Within such a construct, perception of the rise of China and of BRI and the appropriate Malaysian response are intricately entwined with domestic power politics, generational transition and governmental control over public discourse. The Malaysian perception of the contemporary rise of China and of BRI is as complex as the Malaysian society itself, and what is revealed in official government policies and public discourses in the dominant mass media would fail to reflect the real depth of the issue if the intrinsic complexity of the Malaysian society is not taken into due consideration.

"China Dream" is now a grand design built on PRC's economic, technological, and foreign relations advancement anchored now on BRI – an *Innenpolitik-Außenpolitik* interfeeding of domestic repression and "sharp power" project abroad. To this end, BRI often feeds on the willingness of corrupt political leaders in some developing countries who prefer an authoritarian model to collude with PRC's State-linked new capitalists, thus leading to more corruption and higher authoritarianism to protect the vested interests. The more severe the Western opprobrium, the more the local corrupt authoritarian leaders will use that as pretext for fanning blind patriotic nationalism and to lean more towards China. For countries where people power (e.g. Malaysia) has overthrown Beijing's local clientelist collaborators and halted the illicit *quid pro quo* shenanigans, the young, new government may still be in danger from destabilisation by an internal-external coalition of forces to bring back the old order that Beijing prefers, an old order that still

often receives wide support from a broad spectrum of populace who value more tangible material progress, economic prosperity and business opportunity than the abstract notion of human rights in terms of free political choices and civil liberties. It is not that they cannot see the social inequalities, it is not that they are turning a blind eye to the political repression and brutal suppression of dissent; it is that to them “the most widespread causes of discontent – forceful expropriation of agricultural land, widespread dislocation of the population, severe exploitation of labour, social and spatial inequalities, corruption from the top to the bottom of the political structure, urban and rural pollution – are all entangled in the development policies that the PRC has pursued since the 1980s in its quest of “wealth and power” within the context of a neo-liberal global capitalism [...] The conversion of land into capital, the creation of a floating labour force available for this process, and the sale of cheap labour power to fuel an export-oriented economy are all aspects of capital accumulation within a globalized capitalist economy. If anything distinguishes the PRC, it is the presence of a sprawling organizational structure put in place by the revolution that has guaranteed the efficient performance of these processes, with coercion whenever necessary.” (*ibid.*: 41) It is this that the admirers of the “China Model” accepts, that certain aspects, albeit major ones, of protection of human rights and political choice can be sacrificed, as CCP asserts, for the sake of efficient material progress of citizens’ physical wellbeing. As Neil Postman (1985) says:

What [Aldous] Huxley teaches is that in the age of advanced technology, spiritual devastation is more likely to come from an enemy with a smiling face than from one whose countenance exudes suspicion and hate. In the Huxleyan prophecy, Big Brother does not watch us, by his choice. We watch him, by ours. There is no need for

wardens or gates or Ministries of Truth. When a population becomes distracted by trivia, when cultural life is redefined as a perpetual round of entertainments, when serious public conversation becomes a form of baby-talk, when, in short, a people become an audience and their public business a vaudeville act, then a nation finds itself at risk; a culture-death is a clear possibility.

To people who are willing to accept CCP's promised offer of economic prosperity and physical wellbeing in a new *taiping shengshih* (era of peace and prosperity) that pales even the Ming Dynasty's *Yongle Shengshih* or Qing Dynasty's *Kang-Cian Shengshih*, a new Golden Age of *Pax Sinica*, at a price of complete conformity with dictates of the great Hobbesian *Leviathan*, the one will unto which all their individual wills are reduced (Hobbes, 1651), the one infallible Party upon which all their power and strength are conferred unquestionably and unconditionally, just leaving themselves with indulgence in trivial consumerism and mundane money-making while avoiding serious discourse with potential political risks, this Huxleyan glimpse of a future is CCP's promised Utopia. To those who are unwilling, continue your course of action at your own peril. It is like that between Mo Yan and Liu Xiaobo; it is a personal existential choice to make for CCP's apologists and China's political dissidents. Each has a different line to draw in the sand.

Thus, the real China threat may not be as Western Sinophobes predicts that China will take over the world, but the threat to the ideology of liberal democracy and individual human rights from the increasingly accepted redefinition of human rights by the CCP Party-State, as well articulated by Professor Xu Xianming (徐顯明), president of the China University of Political Science and Law (中國政法大學), who posited in 2005 the "harmony rights" ("hexiequan"

/ 和諧權, apparently in line with the official “construction of a harmonious society” policy of the CCP) which according him is to “supersede the earlier three generations of human rights (i.e. rights of freedom, rights of survival and rights of development)”.¹⁸⁷ Evidence is already ample that this real “China Dream” of Xi and the CCP is being realised day by day.

This paper closes with a look at how the construction of a perfect police state in this largest dictatorship on earth has now become imminent with the proverbial Orwellian Big Brother finally meeting Big Data in a Huxleyan turn of events. It would be interesting to close this concluding section with Neil Postman’s illuminative comparison between the Orwellian dystopia, as China has been going through since the Chinese Communist Party’s conquest of mainland China in 1949, and the Huxleyan future:

[George] Orwell warns that we will be overcome by an externally imposed oppression. But in [Aldous] Huxley’s vision, no Big Brother is required to deprive people of their autonomy, maturity and history. As he saw it, people will come to love their oppression, to adore the technologies that undo their capacities to think.

What Orwell feared were those who would ban books. What Huxley feared was that there would be no reason to ban a book, for there would be no one who wanted to read one. Orwell feared those who would deprive us of information. Huxley feared those who would give us so much that we would be reduced to passivity and egotism.

Orwell feared that the truth would be concealed from us. Huxley feared the truth would be drowned in a sea of irrelevance. Orwell feared we would become a captive culture. Huxley feared we would become a trivial culture, preoccupied with some equivalent of the feelies, the orgy porgy, and the centrifugal bumble puppy.

As Huxley remarked in *Brave New World Revisited*, the civil libertarians and rationalists, who are ever on the alert to oppose tyranny, “failed to take into account man’s almost infinite appetite for distractions.”

In 1984, people are controlled by inflicting pain. In *Brave New World*, they are controlled by inflicting pleasure. In short, Orwell feared that what we fear will ruin us. Huxley feared that our desire will ruin us.

(Postman, 1985)

Meanwhile, while on the way to this Brave New World with Chinese characteristics, to those who conform or at least pretending to, whether being forced to conform or brainwashed or mesmerised into conforming by the “China Model” miracle, the reward is at least a Huxleyan “spectacular vision of a happy hell” (Ryan, 1988 / 1990: 136)¹⁸⁸; whereas for those who refuse to conform and who insist on dissenting, it remains the Orwellian *Room 101*.

Notes

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Administrative Studies and Politics, was the department head of the Department of Administrative Studies and Politics, Faculty of Economics and Administration, University of Malaya, from 1st August 2016 to 31st July 2018, the director of the Institute of China Studies (ICS), University of Malaya, from 13th March 2008 to 1st January 2014, the founder and editor of the institute's then SJR top-tier Scopus-indexed triannual academic journal, *International Journal of China Studies* (*IJCS*, Vol. 1, 2010 – Vol. 5, 2014), and is currently also a member of the international editorial committee of several journals in Asia and Latin America. Among his latest publications in recent years are “Malaysia: Perception of contemporary China and its economic, political and societal determinants” (article, *The Pacific Review*, 2018, *cs*), “China-Malaysia trade, investment, and cooperation in the contexts of China-ASEAN integration and the 21st Century Maritime Silk Road construction” (article, *The Chinese Economy*, 2018, *cs*), “Environmental policy in Malaysia with reference to Taiwan's New Southbound Policy” (book chapter, Wenzao University Press, 2018), “マレーシア——親中心理を支える構造” [Malaysia: the fundamental structure of pro-China sentiment]” (book chapter, University of Tokyo Press, 2018), “Malaysia-Taiwan Relations and Taiwan's New Southbound Policy” (article, *Malaysian Journal of International Relations*, 2018, *cs*), “Hopes against Hobbes: On authoritarianism, regime legitimation and soft power with a review of Richard C. Bush's *Hong Kong in the shadow of China: Living with the Leviathan* (2016)” (article, *CCPS*, 2017), *Hong Kong Twenty Years after the Handover: Quo Vadis?* (edited *Focus* issue, *CCPS*, 2017, 477 pp. + xv), *Norms and institutions in the shaping of identity and governance: Mainland China and Taiwan in the regional environment* (edited special issue, *CCPS*, 2017, 521 pp. + xviii), *From Handover to Occupy Campaign: Democracy, identity and the Umbrella Movement of Hong Kong* (edited *Focus* issue, *CCPS*, 2016, 350 pp. + xviii), “Political governance and strategic relations: Domestic-foreign

policy nexus and China's rise in the global system" (article, *CCPS*, 2016), "The writing on the wall: National and global implications of the ruling Chinese Communist Party's domestic and foreign policies" (article, *CCPS*, 2016), *China amidst competing dynamics in the Asia-Pacific: National identity, economic integration and political governance* (edited special issue, *CCPS*, 2016, 633 pp. + xv), "From Dungans to *xinyimin*: China, Chinese migration and the changing sociopolitical fabric of Central Asian republics" (article, *CCPS*, 2015), *Crossing the Chinese frontier: Nation, community, identity and mobility* (edited special issue, *CCPS*, 2015, 410 pp. + xv), "Nationalism, historical consciousness and regional stability: Rising China as a regional power and its new assertiveness in the South China Sea" (book chapter, Palgrave Macmillan, 2014), "中國 — 東南亞關係：中國能源安全政策的區域安全戰略分析" [China-ASEAN relations: analysis on regional security strategy of China's energy security policy] (book chapter, Wu-Nan, 2014), "Literacy and education in contemporary China: Daunting challenges amidst rapid economic development" (article, *The Copenhagen Journal of Asian Studies/CJAS*, 2014), *China – State, public policy and society* (guest edited special issue, *CJAS*, 2014, 140 pp.), "The long shadow of Tiananmen: Political economy of State-civil societal relations in the People's Republic of China twenty-five years on" (article, *IJCS*, 2014), "The quarter-century legacy of June Fourth: Prospects and challenges in the struggle of post-1989 dissent and nonviolent action in the People's Republic of China" (article, *IJCS*, 2014), *June Fourth at 25: The quarter-century legacy of Tiananmen* (edited special issue, *IJCS*, 2014, 367 pp. + xv), "Poverty reduction, welfare provision and social security challenges in China in the context of fiscal reform and the 12th Five-Year Plan" (book chapter, Routledge, 2014), "Taiwan and Mainland China: Impacts of economic progress and international environment on political trajectory in comparative perspective" (article, *IJCS*, 2013), *Taiwan: Democracy, cross-Strait*

relations and regional security (edited *Focus* issue, *IJCS*, 2014, 195 pp. + x), “Evolving agencies amid rapid social change: Political leadership and State-civil society relations in China” (book chapter, Palgrave Macmillan, 2013) and *China: Developmental model, State-civil societal interplay and foreign relations* (edited monograph, 745 pp. + xxi, ICS, 2013). His latest research projects include the Equitable Society Research Cluster UMRG Programme on Public Administration and Governance (2016-2018, principal investigator), Malaysian Ministry of Higher Education/University of Malaya High-Impact Research (HIR) Grant project “The China Model: Implications of the contemporary rise of China” (2013-2016, principal investigator) at the Department of Administrative Studies and Politics, Faculty of Economics and Administration, University of Malaya, and Suntory Foundation/University of Tokyo international research grant project “Beyond ‘China threat theory’: Dialogue with China experts on the rise of China” (2014-2015, Malaysian component). <Website: <http://emileyeo5.wix.com/emileyeoh>; email: yeohkk@um.edu.my, emileyeo@gmail.com>

1. Freedom House’s report *Freedom in the World 2015 – Discarding democracy: Return to the iron fist*, p. 5.
2. Or officially the “Communist Party of China” (CPC, 中國共產黨).
3. “Swedish activist Peter Dahlin paraded on China state TV for ‘scripted confession’” (reported by Tom Phillips), *The Guardian* (UK), 20th January 2016. <<http://www.theguardian.com/world/2016/jan/20/swedish-activist-peter-dahlin-paraded-on-china-state-tv-for-scripted-confession>>
4. ODN, 3rd March 2016. (東方日報 / *Oriental Daily News* / ODN is a Malaysian daily in Chinese.)
5. Freedom House’s report *Freedom in the World 2015 – Discarding democracy: Return to the iron fist*, p. 5.
6. *Ibid.*
7. “Trial by media? Confessions go prime time in China” (reported by Steven

Jiang), *CNN (Cable News Network)*, 26th January 2016. <<http://edition.cnn.com/2016/01/26/asia/china-television-confessions/index.html>>

8. Leading intellectual dissident activist from the 1989 Tiananmen demonstrations and hunger strikes to *Charter 08* – for which he was sentenced to 11 years of imprisonment – Liu Xiaobo was awarded the Nobel Peace Prize on 8th October 2010 but was unable to receive it as he was serving his 11-year sentence. He received his Ph.D. from the Beijing Normal University in 1988 with his thesis “審美與人的自由” [aesthetics and human freedom]. The repeatedly jailed Chinese dissident and democracy advocate was granted medical parole on 26th June 2017 and sent into closely guarded hospitalisation only seventeen days before his death. He is the first Nobel Peace Prize laureate to die after being terminally ill during imprisonment since pacifist Carl von Ossietzky in Nazi Germany, who was awarded the 1935 Nobel Peace Prize while incarcerated in a concentration camp and was sent to hospital under Gestapo surveillance five months later and died in hospital, while still in police custody, from tuberculosis as well as illness resulted from of the abuse he suffered in concentration camp.
9. *Charter 08* was published at the 60th anniversary of the *Universal Declaration of Human Rights*, adopting name and style from the anti-Soviet *Charter 77* issued by dissidents in Czechoslovakia in 1977 which became an informal civic initiative in Communist Party-ruled Czechoslovakia till 1992, a few years after accomplishing its goal of overthrowing Communist Party dictatorship in the 1989 Velvet Revolution.
10. For Roman transliteration of Chinese (Mandarin) names and terms inside contemporary PRC, this paper follows Beijing's official *Hanyu Pinyin* (漢語拼音) system developed in the 1950s. Otherwise, this paper uses *Tongyong Pinyin* (通用拼音), introduced in 1998 by Academia Sinica (中央研究院)'s researcher Associate Professor Yu Bor-chuan (余伯泉) and officially adopted in Taiwan in 2002 but unfortunately abandoned on

1st January 2009, after Taiwan's presidency was taken over by KMT, in favour of Beijing's *Hanyu Pinyin* system which in various aspects this author deems inferior to *Tongyong Pinyin* (which let the alveolo-palatal and alveolar consonants share the same symbols, thus avoiding the *Hanyu Pinyin*'s conundrum of *x* and *q*, the latter being probably influenced in shape by Russian Cyrillic *ч*). Nevertheless, to maintain symbol consistency between the alveolo-palatal, alveolar and retroflex sets of consonants, this paper adopts *z, c, s* (alveolo-palatal); *z, c, s* (alveolar); *zh, ch, sh* (retroflex) instead of *Tongyong Pinyin*'s *j, c, s; z, c, s; jh, ch, sh* (*Hanyu Pinyin*'s *j, q, x; z, c, s; zh, ch, sh*), and the released *j* is used (following Wade-Giles) for the liquid retroflex instead of *Tongyong Pinyin*'s (and *Hanyu Pinyin*'s) *r* which is here retained solely for the coda in (*e*)*r*. In addition, *wen* (following Wade-Giles and *Hanyu Pinyin*) is used in this paper instead of *Tongyong Pinyin*'s *wun*, as the syllable *wen* cannot be pronounced as *wun* in the second and third tones. Where this slightly modified *Tongyong Pinyin* is used in this paper, and where there are differences, the transliteration is followed by Wade-Giles and/or *Hanyu Pinyin* in brackets when a name or term appears for the first time.

11. 《自由花》給因尋求公義而失去自由的人 2017 ["Freedom Flowers" – for people who have lost their freedom for seeking justice 2017] (Oct 4, 2017) <https://www.youtube.com/watch?v=6Ys_MsnJ2wU>.
12. Presently eight thousand seven hundred and sixty-five, according to Political Prisoner Database of the U.S. Congressional-Executive Commission on China. (Peter Mellgard, "This visualization shows China's jailed, murdered and missing political prisoners", *The WorldPost* (a partnership of *HuffPost* and the Berggruen Institute), 17th March 2017 (updated 19th March 2017). <http://www.huffingtonpost.com/entry/political-prisoners-china-database_us_589a1d83e4b09bd304be3300>)
13. "China jails three activists for trying to start civil disobedience movement" (reported by Agence France-Presse), *The Guardian* (UK, international

- edition), 29th January 2016. <<https://www.theguardian.com/world/2016/jan/29/china-jails-three-activists-for-trying-to-start-civil-disobedience-movement>>
14. Gene Sharp (2010). *From dictatorship to democracy: A conceptual framework for liberation*, 4th U.S. edition. Boston, MA: The Albert Einstein Institution (originally published in Bangkok in 1993 by the Committee for the Restoration of Democracy in Burma; 1st U.S. edition, 2002). Founder of the Albert Einstein Institution, a non-profit organisation that specialises in the study of the methods of nonviolent resistance in conflicts and to explore its policy potential, Gene Sharp is Professor Emeritus of Political Science at the University of Massachusetts Dartmouth, multiple-time nominee for Nobel Peace Prize since 2009 and a scholar on strategic nonviolent struggle.
 15. “China jails three activists for trying to start civil disobedience movement” (reported by Agence France-Presse), *The Guardian* (UK, international edition), 29th January 2016 <<https://www.theguardian.com/world/2016/jan/29/china-jails-three-activists-for-trying-to-start-civil-disobedience-movement>>; “唐荊陵 (CPPC 編號: 00135)”, 中國政治犯關注 (*China Political Prisoner Concern*), 19th June 2014 <<https://cppc1989.blogspot.com/2014/06/cppc00135.html>>; “袁朝陽 (CPPC 編號: 00137)”, 中國政治犯關注 (*China Political Prisoner Concern*), 20th June 2014 <<https://cppc1989.blogspot.com/2014/06/cppc00137.html>>; “王清營 (CPPC 編號: 00136)”, 中國政治犯關注 (*China Political Prisoner Concern*), 20th June 2014 <<https://cppc1989.blogspot.com/2014/06/cppc00136.html>>.
 16. “黃琦 (CPPC 編號: 00474)”, 中國政治犯關注 (*China Political Prisoner Concern*), 6th February 2017. <<https://cppc1989.blogspot.com/2017/02/cppc00474.html>>
 17. “林祖戀 (CPPC 編號: 00415)”, 中國政治犯關注 (*China Political Prisoner Concern*), 21st September 2016. <<https://cppc1989.blogspot.com/>

2016/09/cppc00415.html>

18. “秦永敏 (CPPC 編號: 00283)”, 中國政治犯關注 (*China Political Prisoner Concern*), 15th September 2015. <<https://cppc1989.blogspot.com/2015/09/cppc00283.html>>
19. “楊天水 (CPPC 編號: 00012)”, 中國政治犯關注 (*China Political Prisoner Concern*), 4th February 2014. <<https://cppc1989.blogspot.com/2014/02/cppc00013.html>>
20. “楊茂東 (CPPC 編號: 00056)”, 中國政治犯關注 (*China Political Prisoner Concern*), 27th February 2014. <<https://cppc1989.blogspot.com/2014/02/cppc-00056.html>>
21. “王全璋 (CPPC 編號: 00277)”, 中國政治犯關注 (*China Political Prisoner Concern*), 25th August 2015. <<https://cppc1989.blogspot.com/2015/08/cppc00277.html>>
22. “吳淦 (CPPC 編號: 00260)”, 中國政治犯關注 (*China Political Prisoner Concern*), 11th June 2015. <<https://cppc1989.blogspot.com/2015/06/cppc000260.html>>
23. “郭泉 (CPPC 編號: 00020)”, 中國政治犯關注 (*China Political Prisoner Concern*), 6th February 2014. <<https://cppc1989.blogspot.com/2014/02/cppc00020.html>>
24. “陳雲飛 (CPPC 編號: 00249)”, 中國政治犯關注 (*China Political Prisoner Concern*), 4th May 2015. <<https://cppc1989.blogspot.com/2015/05/cppc000249.html>>
25. “劉飛躍 (CPPC 編號: 00473)”, 中國政治犯關注 (*China Political Prisoner Concern*), 1st February 2017. <<https://cppc1989.blogspot.com/2017/02/cppc00473.html>>
26. “「六四酒案」疑太敏感 官方採不審不判”, 阿波羅新聞網, 19th May 2018. <<http://www.aboluowang.com/2018/0519/1116354.html>>
27. “Hong Kong publisher Yao Wentian jailed for 10 years”, CPJ website (New York: Committee to Protect Journalists), 8th May 2014. <<https://cpj.org/2014/05/hong-kong-publisher-yao-wentian-jailed-for-10-year.php>>

28. “77 歲姚文田獄中病重 家屬申請保外就醫被拒”, *Radio Free Asia (RFA) News* (自由亞洲電台粵語部), 7th November 2017 <<https://www.rfa.org/cantonese/news/publisher-11072017084126.html>>; “姚文田 (CPPC 編號: 00108)”, 中國政治犯關注 (*China Political Prisoner Concern*), 7th May 2014 <<https://cppc1989.blogspot.com/2014/05/cppc00108.html>>.
29. “孫峰 (CPPC 編號: 00212)”, 中國政治犯關注 (*China Political Prisoner Concern*), 1st December 2014. <<https://cppc1989.blogspot.com/2014/12/cppc000212.html>>
30. “胡石根 (CPPC 編號: 00296)”, 中國政治犯關注 (*China Political Prisoner Concern*), 27th October 2015. <<https://cppc1989.blogspot.com/2015/10/cppc00296.html>>
31. “瞿岩民 (CPPC 編號: 00293)”, 中國政治犯關注 (*China Political Prisoner Concern*), 19th October 2015. <<https://cppc1989.blogspot.com/2015/10/cppc00293.html>>
32. “Photo: China modern torture methods (11) – “Tiger Bench””, *Status of Chinese People: About China and Chinese People's Living Condition*, 8th March 2007. <[https://chinaview.wordpress.com/2007/03/08/photo-china-modern-torture-methods-11-\"tiger-bench\"/](https://chinaview.wordpress.com/2007/03/08/photo-china-modern-torture-methods-11-\)>
33. “A year on ... China's crackdown on human rights lawyers”, Amnesty International, 28 August 2015. <<https://www.amnesty.org/en/latest/campaigns/2016/07/one-year-since-chinas-crackdown-on-human-rights-lawyers/>>
34. “Yin Xu'an (尹旭安)”, *Chinese Human Rights Defenders* <<https://www.nchrd.org/2016/08/yin-xuan/>>; “尹旭安 (CPPC 編號: 00305)”, 中國政治犯關注 (*China Political Prisoner Concern*), 6th December 2015 <<http://cppc1989.blogspot.com/2015/12/cppc00305.html>>.
35. “謝豐夏 (謝文飛) (CPPC 編號: 000210)”, 中國政治犯關注 (*China Political Prisoner Concern*), 25th November 2014 <<https://cppc1989.blogspot.com/2014/11/cppc000210.html>>; “張榮平 (張聖雨) (CPPC 編號: 00231)”, 中國政治犯關注 (*China Political Prisoner Concern*), 1st

- March 2015 <<https://cppc1989.blogspot.com/2015/03/cppc000231.html>>.
36. “蘇昌蘭（女）（CPPC 編號：00227）”，中國政治犯關注 (*China Political Prisoner Concern*), 5th February 2015 <<https://cppc1989.blogspot.com/2015/02/cppc000227.html>>; “陳啟棠（CPPC 編號：00226）”，中國政治犯關注 (*China Political Prisoner Concern*), 3rd February 2015 <<https://cppc1989.blogspot.com/2015/02/cppc000226.html>>.
 37. “Four years have passed since the detention of Ilham Tohti”, *Frontline Defenders*, 15th January 2018. <<https://www.frontlinedefenders.org/en/ca/se/ilham-tohti-sentenced-life-imprisonment>>
 38. Presently eight thousand seven hundred and sixty-five, according to Political Prisoner Database of the U.S. Congressional-Executive Commission on China. (Peter Mellgard, “This visualization shows China’s jailed, murdered and missing political prisoners”, *The WorldPost* (a partnership of *HuffPost* and the Berggruen Institute), 17th March 2017 (updated 19th March 2017). <http://www.huffingtonpost.com/entry/political-al-prisoners-china-database_us_589a1d83e4b09bd304be3300>)
 39. “Ailing dissident’s case fits a pattern in Chinese prisons, critics say” (reported by Javier C. Hernández), *The New York Times*, 10th July 2017 <<https://www.nytimes.com/2017/07/10/world/asia/liu-xiaobo-medical-care-dissidents.html>>; “Questions raised about Liu Xiaobo’s prison medical treatment” (reported by Didi Tang and Mark Schiefelbein / The Associated Press), *Times Colonist* (Canada), 27th June 2017 <<http://www.timescolonist.com/questions-raised-about-liu-xiaobo-s-prison-medical-treatment-1.20787511>>.
 40. Salman Rushdie, *Joseph Anton* (2012, ppb 2013: 628).
 41. FP Staff (2016). The leading global thinkers of 2016: As the pillars of societies faltered, these individuals bore the weight of progress on their own shoulders. *Foreign Policy*, 16th December 2016. <<http://foreignpolicy.com/slideshow/the-leading-global-thinkers-of-2016/>> / Tsai Ing-wen (President/Taiwan): For poking the bear. *FP global thinkers*

- 2016 – the decision-makers. <<https://gt.foreignpolicy.com/2016/profile/tsai-ing-wen>>.
42. Liu Xiaobo (2010). I have no enemies: My final statement (Nobel Lecture in Absentia, December 10, 2010). Statement of December 23, 2009. Read by Liv Ullmann. Translation by Human Rights in China (HRIC). Based on a translation by J. Latourelle. *Nobelprize.org – The Official Web Site of the Nobel Prize*. <https://www.nobelprize.org/nobel_prizes/peace/laureates/2010/xiaobo-lecture.html> / Liu Xiaobo (劉曉波) (2011). 《我没有敵人：劉曉波文集之二》 [I have no enemies: collected works of Liu Xiaobo 2]. Taipei: 捷幼出版社。
 43. “Taiwan’s president vows to help China achieve democracy: Tsai Ing-wen expresses condolences for the death of Liu Xiaobo and encourages Chinese people to pursue democracy” (reported by Charlotte Gao), *The Diplomat*, 14th July 2017. <<http://thediplomat.com/2017/07/taiwans-president-vows-to-help-china-achieve-democracy/>>
 44. Salil Tripathi (2008). The conscience of a forgetful nation. *Far Eastern Economic Review*, Vol. 171, No. 5, June 2008, pp. 37-40 (see p. 39).
 45. “China turns the screws on dissidents by persecuting their families” (editorial), *The Washington Post*, 26th February 2014. <https://www.washingtonpost.com/opinions/china-turns-the-screws-on-dissidents-by-persecuting-their-families/2014/02/26/1aa191f8-9e68-11e3-a050-dc3322a94fa7_story.html>
 46. “Berlin church holds memorial service for Chinese dissident Liu Xiaobo”, *Deutsche Welle*, 13th July 2018. <<https://www.dw.com/en/berlin-church-holds-memorial-service-for-chinese-dissident-liu-xiaobo/a-44670529>>
 47. *ODN*, 21st June 2016.
 48. *Ibid*.
 49. “批港府無救人 警察不站在港人一方 林榮基：對梁振英無話可說” [criticizing the Hong Kong Government for not rescuing and the Hong Kong police for not stand by the Hong Kong people, Lam Wing-kei says

he has nothing to say to Leung Chun-ying], 立場新聞 (Stand News) (Hong Kong), 16th June 2016 <<https://thestandnews.com/politics/> 批港府無救人 – 警察不站在港人一方 – 林榮基 – 對梁振英無話可說 />; “林榮基讓公眾知道了那些什麼” [what did Lam Wing-kei let the public know], 傳真社 (FactWire News Agency, Hong Kong), 17th June 2016 <<https://www.facebook.com/notes/factwire-news-agency-傳真社/林榮基讓公眾知道了那些什麼/572893762917682/>>; “【銅鑼灣書店】梁振英去函中央 林榮基指梁親自上去都有用” [<<Causeway Bay Bookstore>> Leung Chun-ying sends letter to the Central Government; Lam Wing-kei said that it would be useless even if Leung personally goes up there], 新浪香港 (sina.com.hk), 21st June 2016 <<https://www.sina.com.hk/news/article/20160621/1/10/49/銅鑼灣書店-梁振英去函中央-林榮基指梁親自上去都有用-5951132.html>>; “林榮基：對通報機制欠信心 但有改善「好過冇」” [Lam Wing-kei: I am not confident about the notification mechanism, but some improvement is better than none], 新浪香港 (sina.com.hk), 7th July 2016 <<https://www.sina.com.hk/news/article/20160707/1/10/49/林榮基-對通報機制欠信心-但有改善-好過冇-6017762.html>>;

50. “Miss Kowtow 2015” (editorial), *The Washington Post*, 7th November 2015. <https://www.washingtonpost.com/opinions/miss-kowtow-2015/2015/11/07/ca15cc72-84a2-11e5-a7ca-6ab6ec20f839_story.html>
51. “China barred a human rights activist from a global beauty contest – putting her squarely in the spotlight” (reported by Richard Macauley and Heather Timmons), *Quartz* (qz.com), 27 November 2015. <<http://qz.com/560703/china-barred-a-human-rights-activist-from-a-global-beauty-contest-putting-her-squarely-in-the-spotlight/>>
52. “Miss Kowtow 2015” (editorial), *The Washington Post*, 7th November 2015. <https://www.washingtonpost.com/opinions/miss-kowtow-2015/2015/11/07/ca15cc72-84a2-11e5-a7ca-6ab6ec20f839_story.html>

53. Quoted in “N.Y.U., China, and Chen Guangcheng”, Letter from China – Dispatches from Evan Osnos. *The New Yorker*, 17th June 2013.
54. *Ibid.*
55. Wang Dan received his Ph.D. in 2008 from Harvard University with his thesis “A comparative study of State violence in Mainland China and Taiwan in the 1950s”.
56. Wang Dan (王丹), 《王丹回憶錄：從六四到流亡》 [Wang Dan’s memoir: from June Fourth to exile], Taipei: 時報文化出版企業股份有限公司 (China Times Publishing Company), 2012.
57. “Beijing’s long arm: Forced to comply or shut down, Cambridge University Press’s China Quarterly removes 300 articles in China” (reported by Echo Huang and Isabella Steger), *Quartz* (qz.com), 18th August 2017 <<https://qz.com/1056938/cambridge-university-press-china-quarterly-complies-with-censorship-removes-300-articles-on-topics-like-tiananmen-and-tibet-in-china/>>; “Cambridge University Press removes journal articles under Chinese pressure” (reported by Holly Else), *Times Higher Education (THE)*, 18th August 2017 <<https://www.timeshighereducation.com/news/cup-removes-journal-articles-after-chinese-pressure>>; “Cambridge University Press removes academic articles on Chinese site” (reported by Ian Johnson), *The New York Times*, 18th August 2017 <<https://www.nytimes.com/2017/08/18/world/asia/cambridge-university-press-academic-freedom.html?mcubz=1>>; “Remove or shutdown: Cambridge University Press blocks access to 315 “China Quarterly” articles from within China” (filed by Gary Price), *INFODocket (LibraryJournal) News*, 18th August 2017 <<http://www.infodocket.com/2017/08/18/reports-cambri-dge-university-presss-china-quarterly-removes-300-articles-in-china/>>.
58. According to the global digital business news publication *Quartz* – see: “Beijing’s long arm: Forced to comply or shut down, Cambridge University Press’s China Quarterly removes 300 articles in China”

- (reported by Echo Huang and Isabella Steger), *Quartz* (qz.com), 18th August 2017. <<https://qz.com/1056938/cambridge-university-press-china-quarterly-complies-with-censorship-removes-300-articles-on-topics-like-tiananmen-and-tibet-in-china/>>
59. “World’s oldest publisher reverses ‘shameful’ China censorship” (reported by Charles Riley and Jethro Mullen), *CNN*, 21st August 2017. <<http://money.cnn.com/2017/08/21/media/china-cambridge-university-press-censorship-reversal/index.html>>
 60. “Cambridge University Press reverses China censorship move”, *BBC News*, 21st August 2017 <<http://www.bbc.com/news/business-40998129>>; “After criticism, publisher reverses decision to bow to China’s censors” (reported by Chris Buckley), *The New York Times*, 21st August 2017 <<https://www.nytimes.com/2017/08/21/world/asia/china-quarterly-cambridge-university-press-censorship-publisher-reverses-decision-to-bow-to-chinas-censors.html?mcubz=1>>.
 61. “Cambridge University Press reverses China censorship move”, *BBC News*, 21st August 2017. <<http://www.bbc.com/news/business-40998129>>
 62. 陳廣恩 (Chan Kwong-yan) (2015). 中國古代的文化專制 [ancient Chinese cultural autocracy]. 燦爛的中國文明 [the splendid Chinese civilization] website. Kowloon, Hong Kong (香港九龍): 中國文化研究院 (The Academy of Chinese Studies). <https://www.chiculture.net/index.php?file=topic_description&old_id=1004>
 63. 陳廣恩 (Chan Kwong-yan) (2015). 中國古代的文化專制 [ancient Chinese cultural autocracy]. 燦爛的中國文明 [the splendid Chinese civilization] website. Kowloon, Hong Kong (香港九龍): 中國文化研究院 (The Academy of Chinese Studies). <https://www.chiculture.net/index.php?file=topic_description&old_id=1004>
 64. Zheng He was Emperor Chengzu’s trusted eunuch official from the Huei (回, Hui) Muslim minority (though himself could be a Buddhist according to the Ming Dynasty historian Lu Jong (陸容, Lu Jung / Lu

Rong)) whose original name was Ma He (馬和) / Hajji Mahmud Shamsuddin ("Zheng" being a surname conferred by Emperor Chengzu).

65. Vladimir Menkov (Bloomington, IN: Rutgers University). File: Ming-Expeditions.svg. Created: 24 August 2010 <[https://en.wikipedia.org/wiki/Chen_Cheng_\(Ming_dynasty\)#/media/File:Ming-Expeditions.svg](https://en.wikipedia.org/wiki/Chen_Cheng_(Ming_dynasty)#/media/File:Ming-Expeditions.svg)>. Isiha's name in Jurchen script (in the text above preceding the his name in Chinese script) is from <https://en.wikipedia.org/wiki/Yishiha#/media/File:Yishiha.svg>, File:Yishiha.svg (Public Domain), Created: 17 February 2013. Jurchen was a people of eastern Manchuria. The founders of the Zin (金, Chin/Jin) Empire in northeastern China of the 12th-13th centuries, the Jurchens were ancestral to the Manchus, founders of the Qing Dynasty that was established in 1636 and ruled China proper from 1644 till the Republican Revolution of 1911.

66. *Key to Figure 3:*

- (1) "Silk Road Economic Belt": An overland network of roads, rail and energy pipelines that will begin in Xi'an (西安) in central China and extend as far as Belgium. (2) "Maritime Silk Road" initiative: A "21st-century Maritime Silk Road" will connect the South China Sea, and the Indian and South Pacific oceans. The "Maritime Silk Road" will enter Europe, and ships from China will also make port in Lisbon, Portugal, and Duisburg, Germany. (3) A high-speed rail network will start in Kunming (昆明), the capital of China's Yunnan Province, and connect into Laos, Vietnam, Cambodia, Burma, Thailand, Malaysia and Singapore. (4) A 3,300-mile high-speed railroad that will start in Acu, near Rio de Janeiro, cross the Amazon rainforest and the Andes Mountains, and terminate on the Peruvian coast. In addition, there was also an advanced proposal by a Chinese billionaire to build a 170-mile-long canal through Nicaragua. (5) China has agreed with the African Union to help build railroads, roads, and airports that will link all 54 African countries, and has also envisioned modern ports in Dar es Salaam (Tanzanian capital),

Maputo (Mozambican capital), Libreville (in Gabon), Tema (in Ghana) and Dakar (Senegalese capital). (6) Besides the planned high-speed rail network into Malaysia and Singapore and through Laos, China is also planning a canal across Thailand's Isthmus of Kra, a deep-water container port and industrial park in Malaysia's Kuantan, an expansion of Maldives' Male airport, as well multi-million-dollar projects in the Pacific island states. (7) Multi-billion-dollar infrastructure projects in Pakistan, including the financing of a deep Arabian Sea port at Gwadar and a 1,125-mile-long super-highway, high-speed railway and oil-pipeline route back to Kashgar in China's Xinjiang. (8) A 4,000-km "Power of Siberia" gas pipeline and a 4,300-mile high-speed railway from Beijing to Moscow.

Further explications quoted from Steve LeVine's *Quartz* report, 9th June 2015:

(1) "Silk Road Economic Belt": An overland network of roads, rail and energy pipelines will begin in Xi'an in central China and head west as far as Belgium. To take the network into the heart of Europe, Beijing has agreed to finance a 250-mile bullet train, costing up to US\$3 billion, from Belgrade to Budapest. Separately, an 8,011-mile cargo railroad from the Chinese city of Yiwu to Madrid, which Beijing has already initiated, is taking away business from far more time-consuming truck shipping. Compared with 36 days of maritime transport (from Shanghai, Taipei, Hong Kong, Macau through the ports of Singapore and Colombo, onward via the Gulf of Aden and Cairo to Lisbon and Duisburg), goods transported by the envisioned Chongqing-Xinjiang-Europe International Railway (through the Silk Road Economic Belt – a more direct route version from Chongqing and Xi'an through Kazakhstan, Russia, Belarus, Poland on to Duisburg) would take just 16 days.

(2) "Maritime Silk Road" initiative: At sea, a companion 21st-century Maritime Silk Road would connect the South China Sea, and the Indian and South Pacific oceans. China would begin to protect its own sea lanes

as well. On 26th May 2015 it disclosed a strategy for expanding its navy into a fleet that not only hugs its own shores, but can wander the open ocean. The Maritime Silk Road will enter Europe through a US\$260 million Chinese-funded upgrade of the Greek port of Piraeus. From there, rail service will continue into the Balkans. Ships from China will also make port in Lisbon, Portugal, and Duisburg, Germany.

(3) On land, Beijing also has in mind a high-speed rail network. It will start in Kunming, the capital of Yunnan province, and connect with Laos and on into Cambodia, Malaysia, Burma, Singapore, Thailand and Vietnam.

(4) In 2015 President Xi Jinping pledged US\$250 billion in investment in South America over the next 10 years. The centerpiece is a US\$10 billion, 3,300-mile, high-speed railroad that would start in Acu, near Rio de Janeiro, crossing the Amazon rainforest and the Andes Mountains, and terminate on the Peruvian coast. On top of that, there's an advanced proposal by Chinese billionaire Wang Jing to build a 170-mile-long, US\$50 billion canal through Nicaragua.

(5) In January 2015, China agreed with the African Union to help build railroads, roads, and airports to link all 54 African countries. These plans are already under way, including a US\$13 billion, 875-mile-long coastal railroad in Nigeria; a US\$3.8 billion, 500-mile-long railroad connecting the Kenyan cities of Nairobi and Mombasa; a US\$4 billion, 460-mile railway linking the Ethiopian cities of Addis Ababa and Djibouti; and a US\$5.6 billion, 850-mile network of rail lines in Chad. Then there are China's maritime ambitions. These envision modern ports in the Tanzanian capital, Dar es Salaam; the Mozambican capital, Maputo; Libreville, Gabon; the Ghanaian city of Tema; and the Senegalese capital, Dakar. All these land and marine projects align with existing Chinese natural-resource investments on the continent. For example, the China National Petroleum Corporation (CNPC) has large oil projects in Chad and Mozambique, and Chinese manufacturers are fast setting up Ethiopian factories that rely on

cheap local labor.

(6) In addition to its planned high-speed rail network into Malaysia and Singapore, China's reach into Southeast Asia also includes a planned high-speed railroad through Laos. In addition, China is planning a canal across the Isthmus of Kra in Thailand, a deep-water container port and industrial park in Kuantan, Malaysia, and a US\$511-million expansion of Male airport in the Maldives. Further into the Pacific, Chinese projects include: a US\$158 million hydroelectric plant and several sports complexes in Fiji, including the 4,000-seat Vodafone stadium in Suva; a US\$100 million hospital in Apia, Samoa, a US\$40 million terminal and upgraded runway at Faleolo Airport, and a US\$140 million wharf at Vaiusu; a US\$12 million government building in Tonga to be called St. George Palace, and two small Chinese turboprop aircraft for domestic routes aboard Real Tonga airlines; two turboprops for Air Vanuatu and US\$60 million to build a Port Vila campus of the University of the South Pacific and a Parliament House for Vanuatu. The amounts of Chinese aid in the South Pacific are: US\$52.16 million for Timor-Leste, US\$440.30 million for Papua New Guinea, US\$28.25 million for Federated States of Micronesia, US\$225.57 million for Vanuatu, US\$338.24 million for Fiji, US\$158.50 million for Tonga, US\$207.99 million for Samoa, US\$0.70 million for Niue, and US\$48.60 million for Cook Islands.

(7) In addition to the main route of the "Silk Road Economic Belt", Beijing is lavishing US\$42 billion in infrastructure projects on Pakistan, including the financing of a deep Arabian Sea port at Gwadar, and a 1,125-mile-long super-highway, high-speed railway and oil-pipeline route to the Chinese city of Kashgar. Sending goods through Pakistan will help China avoid the Malacca Strait through which much of Beijing's oil and other natural resources passes and which US could theoretically blockade.

(8) The 4,000 km "Power of Siberia" gas pipeline, a US\$400 billion Gazprom-CNPC gas deal, will ship 38 billion cubic metres of Russian gas

to China a year for 30 years, starting from 2018. This is the larger one of the two natural-gas pipelines, which form the centerpiece of Russia's pivot towards China announced in 2013, through which a fifth of China's gas imports would flow. In addition, China is to build a US\$242 billion, 4,300-mile high-speed railway from Beijing to Moscow, a two-day trip compared with the current six-day Trans-Mongolian Express.

67. "It's official: Xi Jinping can now rule China for as long as he wants" (reported by Jonathan Kaiman), *Los Angeles Times*, 11th March 2018. <<http://www.latimes.com/world/asia/la-fg-china-lawmakers-20180311-story.html>>
68. "Xi Jinping circulars" (2013) (Professor Victor H. Mair, University of Pennsylvania, Philadelphia, PA, USA, editor of *Sino-Platonic Papers* <<http://www.sino-platonic.org/>>).
69. Steve LeVine (2015), "Do as Rome does: China is building the most extensive global commercial-military empire in history", *Quartz* (qz.com), 9th June 2015. <<http://qz.com/415649/china-is-building-the-most-extensive-global-commercial-military-empire-in-history/>>
70. David Dodwell (2018). "Tillerson's final warning on Belt and Road financing only proves China's influence on the rise", *South China Morning Post* (Hong Kong) (Opinion), 23rd March 2018. <<https://www.scmp.com/business/global-economy/article/2138539/tillersons-final-warning-belt-and-road-financing-only-proves>>
71. David Dodwell (2018). "Tillerson's final warning on Belt and Road financing only proves China's influence on the rise", *South China Morning Post* (Opinion), 23rd March 2018. <<https://www.scmp.com/business/global-economy/article/2138539/tillersons-final-warning-belt-and-road-financing-only-proves>>
72. David Dodwell (2018). "Tillerson's final warning on Belt and Road financing only proves China's influence on the rise", *South China Morning Post* (Opinion), 23rd March 2018. <<https://www.scmp.com/business/global>>

-economy/article/2138539/tillersons-final-warning-belt-and-road-financing-only-proves>

73. “No escape? China's crackdown on dissent goes global” (reported by Ivan Watson, Pamela Boykoff, Kocho Olarn and Judy Kwon), *CNN (Cable News Network)*, 5th February 2016 <<http://edition.cnn.com/2016/02/04/asia/china-dissident-crackdown-goes-global/index.html>>; *ODN*, 7th February 2016.
74. “Thailand deports 100 Muslim Uighurs to China”, *The Wall Street Journal*, 9th July 2015 <<http://www.wsj.com/articles/thailand-deports-100-muslim-uighurs-to-china-1436451320>>; “Thailand says rejected China request to deport all Uighurs – decision draws criticism from the U.N. and sets off protests in Turkey”, *Borneo Post online*, 11th July 2015 <<http://www.theborneopost.com/2015/07/11/thailand-says-rejected-china-request-to-deport-all-uighurs/>>.
75. “Malaysia accused over deporting Uighur asylum seekers to China”, *The Guardian*, 5th February 2013. <<http://www.theguardian.com/world/2013/feb/05/malaysia-uighur-asylum-seekers-china>>
76. “China urged to release Uighur activist allegedly tortured in prison”, Amnesty International UK / *Blogs*, 21st December 2010. <<https://www.amnesty.org.uk/blogs/countdown-china/china-urged-release-uighur-activist-allegedly-tortured-prison>>
77. “德語媒體：北京的“眼睛”網紅的“生活””, *Deutsche Welle*, 27th September 2017. <<http://www.dw.com/zh/德語媒體北京的眼睛－網紅的生活/a-40713699?&zhongwen=simp>>
78. “德語媒體：北京的“眼睛”網紅的“生活””, *Deutsche Welle*, 27th September 2017. <<http://www.dw.com/zh/德語媒體北京的眼睛－網紅的生活/a-40713699?&zhongwen=simp>>
79. “China must stop fooling itself it is a world leader in science and technology, magazine editor says” (reported by Sidney Leng), *South China Morning Post* (Hong Kong), 26th June 2018 (Updated 27th June 2018).

<<https://www.scmp.com/news/china/society/article/2152617/china-must-stop-fooling-itself-it-world-leader-science-and>>

80. “Malaysia’s economy just got a US\$33 billion boost from China... so why the unhappiness? – Deals by PM Najib have stoked resentment of Chinese influence among ethnic Malays, but they could be among the big winners if they play their cards right” (reported by Amy Chew / Topic: Malaysia 1MDB Scandal), *South China Morning Post* (Hong Kong), 21st November 2016, updated 6th July 2017. <<http://www.scmp.com/week-asia/geopolitics/article/2047345/malysias-economy-just-got-us33-billion-dollar-boost-china-so>>; “China wants this Malaysian port to rival Singapore (and that’s not all)” (reported by Keith Zhai and Pooi Koon Chong), *Bloomberg*, 1st August 2017. <<https://www.bloomberg.com/news/articles/2017-07-31/chinese-money-pouring-into-malaysia-could-help-najib-razak-with-votes>>.
81. “巫統與中共簽備忘錄 推動馬中戰略合作” [UMNO and CCP sign MoU to drive Malaysia-China strategic cooperation], *NYSP* (online), 6th August 2010 <<http://www.nanyang.com/node/301240?tid=485..>>. (南洋商報 / *Nanyang Siang Pau* / *NYSP* is a Malaysian daily in Chinese.)
82. Datuk Seri Tengku Adnan bin Tengku Mansor, secretary-general of United Malays National Organization (UMNO), in interview by Malaysian Chinese-language newspaper *Nanyang Siang Pau* on 6th August 2010 (“巫統與中共簽備忘錄 推動馬中戰略合作” [UMNO and CCP sign MoU to drive Malaysia-China strategic cooperation], *NYSP* (online), 6th August 2010 <<http://www.nanyang.com/node/301240?tid=485..>> (emphasis added).
83. Which can be vividly illustrated in the instrumental aspect by comparing the equally draconian dissent-crushing laws: in China the crime of “inciting subversion of State power” (煽動顛覆國家政權罪) and “gathering a crowd to disrupt public order” or “picking quarrels and provoking troubles” (尋釁滋事) charge which was described by the Dui Hua Foundation (中美對話基金會), the San Francisco-based human

rights organization that focuses on detainees in Chinese prisons, as a nebulously defined “pocket crime” charge into which “anything can be stuffed”; in Malaysia the Sedition Act and not long ago also the Internal Security Act.

84. “Experts puzzled over Kuala Linggi International Port’s construction [VIDEO]” (reported by Arnaz M. Khairul and Kelly Koh), *New Straits Times* (Malaysia), 7th December 2016 <<https://www.nst.com.my/news/2016/12/195056/experts-puzzled-over-kuala-linggi-international-ports-construction-video>>: “Experts reviewing the Detailed Environmental Impact Assessment (DEIA) report on the proposed KLIP insist the Department of Environment (DoE) had rejected the report, based on its location.”
85. “1MDB scandal: New twist, possible money laundering by China companies” (reported by Shazwan Mustafa Kamal), *Malay Mail*, 17th July 2018 <<https://www.malaymail.com/s/1653197/1mdb-scandal-new-twist-possible-money-laundering-by-china-companies>>; “DAP’s Pua links 1MDB scandal to China”, *Free Malaysia Today*, 17th July 2018 <<http://www.freemalaysiatoday.com/category/nation/2018/07/17/daps-pua-links-1mdb-scandal-to-china/>>; “Pua: Clear elements of money laundering in SSER-China firm deal”, *Malaysiakini*, 17th July 2018 <<https://www.malaysiakini.com/news/434619>>; “1MDB scandal may involve money laundering to China companies, Tony Pua tells BBC”, *The Star Online* (Malaysia), 17th July 2018 <<https://www.thestar.com.my/news/nation/2018/07/17/1mdb-scandal-may-involve-money-laundering-to-china-companies-tony-pua-tells-bbc/>>.
86. “China seems ‘worried’ about Malaysia’s new leadership, and a suspicious \$2 billion deal could be the first sign of trouble” (reported by Tara Francis Chan), *Business Insider*, 6th June 2018. <<https://www.businessinsider.my/china-concerns-malaysia-new-government-mahathir-mohamed-2018-6/?r=US&IR=T>>
87. “Malaysia has reasons to walk away from ECRL”, *The Star Online*, 2nd Jun 2018. <<https://www.thestar.com.my/business/business-news/2018/06/02>>

/malaysia-has-reasons-to-walk-away-from-ecrl/>

88. “Why isn’t Guan Eng part of Mahathir’s China trip, govt asked – Umno’s Annuar Musa asks if this is related to claims that Lim Guan Eng had a hand in MACC raids of Chinese companies” (reported by Minderjeet Kaur), *Free Malaysia Today*, 13th August 2018. <<http://www.freemalaysia.com/category/nation/2018/08/13/why-isnt-guan-eng-part-of-mahathirs-china-trip-govt-asked/>>
89. “Malaysia has reasons to walk away from ECRL”, *The Star Online*, 2nd Jun 2018 <<https://www.thestar.com.my/business/business-news/2018/06/02/malaysia-has-reasons-to-walk-away-from-ecrl/>>; “Mahathir says the ECRL project contract is strange”, *The Edge Malaysia*, 4th June 2018 <<http://www.theedgemarkets.com/article/mahathir-says-ecrl-project-contract-strange>> (article first appeared in *The Edge Malaysia Weekly*, 28th May – 3rd June 2018, pp. 70-73); “Details of ECRL project contract ‘not normal’, says Tun M”, *Borneo Post*, 27th May 2018 <<http://www.theborneopost.com/2018/05/27/details-of-ecrl-project-contract-not-normal-says-tun-m/>>; “‘Strange’ that ECRL loan is kept abroad, says Dr Mahathir”, *The Malaysian Insight*, 26th May 2018 <<https://www.themalaysianinsight.com/s/50256>>; “Malaysia’s leader, Najib Razak, faces U.S. corruption inquiry” (reported by Louise Story), *The New York Times*, 21st September 2015 <<https://www.nytimes.com/2015/09/22/world/asia/malaysias-leader-najib-razak-faces-us-corruption-inquiry.html?action=click&contentCollection=Business%20Day&module=MostPopularFB&version=Full®ion=Marginalia&src=me&pgtype=article>>.
90. Translated here from Chinese by this author. Also, all quoted passages from Malaysian Chinese-language newspapers in this article are translated from Chinese by this author.
91. Which earlier, like the umbrella body for Malaysian Chinese associations, the Federation of Chinese Associations Malaysia / *Hua Zong* (華總), also issued a statement in 2010 condemning the award of that year’s Nobel

Peace Prize to Liu Xiaobo (劉曉波) (see “譴責諾委會含不良政治意圖董總：和平獎成了世界笑柄” [condemning Nobel Prize committee as having bad political intention, United Chinese School Committees’ Association (Malaysia) said the Nobel Peace Prize had become the world’s laughing stock], 獨立新聞在線 / *Merdeka Review*, 20th October 2010 <<http://merdekareview.com/news/n/15335.html>>; “陳友信：中方以友人身份提點 隆雪華堂對曉波獲獎意見分歧” [Tan Yew Sing (president of the Kuala Lumpur & Selangor Chinese Assembly Hall): China side gave suggestions as a friend; divergence of opinions within KL & Selangor Chinese Assembly Hall towards Liu Xiaobo being awarded Nobel Peace Prize], 獨立新聞在線 / *Merdeka Review*, 30th October 2010 <http://www.merdekareview.com/news_v2.php?n=15492>).

92. See Yong Sun Yong (楊善勇), “華教護法大戰法輪功” [Chinese education custodians battled Falungong], *ODN*, 1st September 2012 <http://www.orientaldaily.com.my/index.php?option=com_k2&view=item&id=22139:&Itemid=202>; also see coverage and related video clips (“法輪功組織欲交公開信至董總主席遭華教人士奮力阻止” [Falungong organization handing open letter to the chairman of Dong Zong but was vehemently blocked by Chinese educationists] <<http://www.youtube.com/watch?v=nDHC0hCd-4I>>, <<http://www.youtube.com/watch?v=P8UGof5nt7o>>) in Li Zhen (李甄)’s article “馬來西亞華教界人士發恐怖言論” [Malaysian Chinese educationists issued terror statements] at 看中國 / *Kan Zhongguo* [look at China], 28th August 2012 <<http://www.secretchina.com/news/12/08/28/464656.html>>. See also coverage in news article “董總拒接見法輪功代表” [United Chinese School Committees’ Association (Malaysia) refused to receive Falungong representatives] with the rough outburst from the community leaders against the peaceful Falungong representatives related under vivid subheading “呼喝辱罵驅趕” [shouting verbal abuse, hurling insults and chasing away], *ODN*, 25th August 2012, p. MC2; Yap Kah Hee (葉家喜), “新聞自由蒙陰影” [pall

over press freedom], *ODN*, 27th August 2012, p. MC6.

93. Hu, Hu, He and Guo, 2009: 19-20 (cited from 《鄧小平文選，第3卷》 [selected works of Deng Xiaoping, volume 3]. Beijing: 人民出版社, 1993, pp. 220-221).
94. Li Ran (李冉) (2018). 適合的就是最好的 [the suitable must be the best]. 星洲日報 (*Sin Chew Daily*, online / 星洲網), 18th March 2018 <<http://www.sinchew.com.my/node/1737278/> 李冉適合的就是最好的 >. Such remarks (see also below those from another research fellow Zhang Miao) from the institute vividly reflect how the United Front's inroad has affected the perspective and direction of the institute after the management changes in 2014 that saw the institute's activities and publications moving towards "safer" or "softer" issues of international relations, historical studies and the humanities like philosophy, literature, culture and fine arts. This has occurred together with the institute's close collaboration since then with the Confucius Institute at the university as well as China's embassy in Malaysia since the management changes instituting a new leadership aiming solely for institutional world ranking but with knowledge and expertise completely unrelated to the political economy of contemporary China, and with the functional nature of the institute increasingly shifting toward that of a Malaysia-China friendship and cooperation association on campus, fitting well CCP's standard United Front Work-style of co-opting local groups to do its bidding.
95. "Communist rule is good for China" (pp. 37-40), in Kishore Mahbubani (2005), *Beyond the age of innocence: Rebuilding trust between America and the world*, New York: Public Affairs; "America's Fundamental Misunderstanding of China | Kishore Mahbubani", The Long Now Foundation interview published on May 10, 2018 on Youtube <<https://www.youtube.com/watch?v=Ojr-tqaQQOQ>>. Mahbubani, a former diplomat, who was one of the US-based magazine *Foreign Policy*'s Top 100 Global Thinkers in 2010 and 2011 and one of the British magazine *Prospect*'s top

50 world thinkers in 2014, announced on 6th November 2017 that he would retire at the end of 2017 from the position as dean of the Lee Kuan Yew School of Public Policy which went into world headlines the same year when Huang Jing (黄靖), the director of the Centre on Asia and Globalisation and the Lee Foundation Professor on US-China Relations at the Lee Kuan Yew School of Public Policy was accused on 4th August 2017 by the Singaporean Ministry of Home Affairs, as “an agent of influence of a foreign country”, of “subversion and foreign interference in Singapore’s domestic politics”, and had his permanent residence in Singapore cancelled and was permanently banned from entering Singapore.

96. See: Martin Jacques (2009). *When China rules the world: The rise of the Middle Kingdom and the end of the Western world*. London: Allen Lane.
97. As *The Independent* reported in April 2009, “No democracy, please, we’re Chinese! Hong Kong kung fu supremo Jackie Chan is famous worldwide for beating up the bad guys, but the action star is unlikely to use his martial arts skills to fight for democracy.” The British paper continued: “Chan launched a broadside against calls for more freedom in China this weekend, saying he wasn’t sure if a free society was what the country needed and that Chinese people needed to be controlled. His remarks have proven unpopular in his native city-state [of Hong Kong].” (“Chinese shouldn’t get more freedom, says Jackie Chan”, *The Independent* (reported by Clifford Coonan in Boao, Southern China), 20th April 2009. <<https://www.independent.co.uk/news/world/asia/chinese-shouldnt-get-more-freedom-says-jackie-chan-1671337.html>>
98. Amy Chua (2003), *World on fire: How exporting free market democracy breeds ethnic hatred and global instability*, Doubleday, a division of Random House, Inc., New York (paperback published by Anchor Books, a division of Random House, Inc., New York, January 2004). The exposition of her thesis, however, relies heavily on a thread of argument with a

disturbing emphasis on the role of the ethnic minority, often immigrants and their descendants, who are termed as the “market-dominant minority”. The precariousness of such a predilection for reductionism – which historian and Pulitzer Price laureate Frederick Turner (1861-1932) described as “an addiction to the primary, the elementary” – lies in the undue emphasis on one particular aspect at the expense of a broader, more complex, structure – a simplification that runs the risk of misleading stereotyping by neglect. Such dangerous essentialisation is compounded by the inclination for blanket, semantically specious, generalisations.

99. Hokkien/Minnan regionalect: 頭家, meaning “business owner”.
100. “廖中萊率團訪中共交流” [Liow Tiong Lai led a delegation to visit the Chinese Communist Party for interaction], *ODN*, 1st August 2013 (online: 31st July 2013). <http://www.orientaldaily.com.my/index.php?option=com_k2&view=item&id=67225:&Itemid=113>
101. “馬華中共簽合作備忘錄” [Malaysian Chinese Association signs memorandum of understanding with Communist Party of China], *ODN*, 25th July 2014 (online 24 July 2014). <http://www.orientaldaily.com.my/~oriental/index.php?option=com_k2&view=item&id=128910:&Itemid=113>
102. “Declaration of support for Belt and Road initiative signed”, *OBOR Watch*, 12th December 2016. <<http://oborwatch.org/declaration-of-support-for-belt-and-road-initiative-signed/>>
103. “MCA launches Belt and Road 2.0”, *The Star Online*, 10th February 2018. <<https://www.thestar.com.my/news/nation/2018/02/10/mca-launches-belt-and-road-20-liow-new-initiative-will-further-strengthen-msiachina-relations/>>
104. “MCA eyes Chinese investors, launches Penang’s One Belt and Road Centre”, *New Straits Times*, 4th June 2017. <<https://www.nst.com.my/news/politics/2017/06/245649/mca-eyes-chinese-investors-launches-penang-one-belt-and-road-centre>>

105. “出路还是退路？” [way out or way back?] (editorial), *KWYP*, 5th June 2017 <<http://www.kwongwah.com.my/?p=333267>>. (光華日報 / *Kwong Wah Yit Poh* / *KWYP* is a Malaysian daily in Chinese.) It was a well recognised fact that MCA has been placed in a no-win situation as an ethnic Chinese party within the increasingly corrupt, kleptocratic and authoritarian BN ruling coalition since its unprecedented electoral upset in 2008's 308 political *tsunami* (from Japanese “津波”, literally “harbour wave”, i.e. tidal wave). The party was practically wiped off (with only a single member of parliament elected) in 2018's even bigger 509 political *tsunami* (全民政治大海嘯) that brought about the surprising, almost impossible first change of federal government since the country's independence in 1957.
106. “大選打“中國牌”惹爭議，馬來西亞華人族群的政治窘境” [playing the “China card” controversy: political dilemma of the Malaysian Chinese community], 觀察者網, 8 May 2018 <<https://user.guancha.cn/main/content?id=15690>>; ““投國陣，等於支持中國”。馬華萬里望候選人宣傳海報惹爭議” [“voting for National Front is equal to supporting China”: MCA's Minglembu candidate's election campaign posters courts controversy], *SCJP* (online), 1st May 2018 <<http://www.sinchew.com.my/node/1751637>>. (星洲日報 / *Sin Chew Jit Poh* / *SCJP* / *Sin Chew Daily* is a Malaysian daily in Chinese.)
107. Which in Southeast Asia today being very much epitomized by the government of Singapore's People's Action Party (PAP).
108. “巫統與中共簽備忘錄 推動馬中戰略合作” [UMNO and CCP sign MoU to drive Malaysia-China strategic cooperation], *NYSP* (online), 6th August 2010. <<http://www.nanyang.com/node/301240?tid=485..>>
109. Datuk Seri Tengku Adnan bin Tengku Mansor, secretary-general of United Malays National Organization (UMNO), in interview by *Nanyang Siang Pau* on 6 August 2010 (“巫統與中共簽備忘錄 推動馬中戰略合作” [UMNO and CCP sign MoU to drive Malaysia-China strategic

cooperation], *NYSP* (online), 6th August 2010. <<http://www.nanyang.com/node/301240?tid=485..>>>).

110. Which can be vividly illustrated in the instrumental aspect by comparing the equally draconian dissent-crushing laws: in China the crime of “煽動顛覆國家政權罪 / *shandong dianfu guojia zhengquan zui*” (inciting subversion of State power) and “尋衅滋事 / *xunxin zishi*” (picking quarrels and provoking troubles / gathering a crowd to disrupt public order) charge which was described by the Dui Hua Foundation (中美對話基金會), the San Francisco-based human rights organization that focuses on detainees in Chinese prisons, as a nebulously defined “pocket crime” charge into which “anything can be stuffed”; in Malaysia the Sedition Act and not long ago also the Internal Security Act.
111. 張淼 (Zhang Miao), “馬來西亞讓我刮目相看” [Malaysia makes me take a new look at it], 星洲日報 (*Sin Chew Daily*, online / 星洲網), 13th May 2018. It is indeed interesting to take a look at Zhang’s perspective – a more Beijing than Malaysian perspective devoid of or purposefully missing out on understanding of the local ethno-political complexity, the level of power abuse and grand larceny, legal manipulation, and the mitigating influence of the country’s unique multi-monarch system in time of deep crisis – of what seemed to transpire on that election night when the whole nation hanged in a balance between an almost impossible total political-tsunami change of government and a tragic political avalanche into the abyss of authoritarianism: “Before the election, I heard some warnings about social unrest after the election ... While blaming the election committee for dragging, we also briefly believed in buying and conspiracy ... Over the next few days, our conspiracy theory to gauge the heart of a gentleman with our own mean narrow-mindedness has totally collapsed by itself: “person who will escape” seemed to have not escaped, and the “state of emergency” that was said would be declared had not been declared ... The demeanor and responsibility of the defeated won my respect.

Najib himself has shown the decency and etiquette of the Malay aristocracy ... And fortunately, the [defeated] National Front government [which has ruled Maaya/Malaysia since the country's independence in 1957] which we have been cursing has left us ... a social value system that has always advocated 'freedom and democracy'." (選前曾道聽途說過一些選後社會動蕩的警告 ... 在埋怨選委會拖沓的同時，我們也曾短暫地相信過收買和陰謀 ... 只是接下來的幾天，我們的“以小人之心度君子之腹”的陰謀論不攻自破：“該逃走的人”彷彿沒逃走，該被宣告的“緊急狀態”也沒有出現 ... 敗北者的這種風度和擔當贏得了我的尊重，納吉本人展現了馬來貴族該有的體面和禮儀 ... 所幸的是，被我們一直懟罵的國陣政府，給我們留下了 ... 一套一直推崇“自由民主”的社會價值體系。)

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For the United Front inroad at the institute after 2014 management change, see note 94 above.

112. 張森 (Zhang Miao), “假想敵” [Mahathir's imaginary enemy], 星洲日報 (*Sin Chew Daily*, online / 星洲網), 9th September 2018. <<http://www.sinchew.com.my/node/1792216/> 張森 • 假想敵 >
113. 張森 (Zhang Miao), “希盟的兩張面孔” [the two faces of the Alliance of Hope], 星洲日報 (*Sin Chew Daily*, online / 星洲網), 29th July 2018. <<http://www.sinchew.com.my/node/1778804/> 張森 • 希盟的两张面孔 >
114. “Malaysia defies China by freeing Uygur Muslim detainees” (reported by *Reuters*), *South China Morning Post* (Hong Kong), 12th October 2018. <<https://www.scmp.com/news/china/diplomacy/article/2168234/malaysia-defies-china-freeing-uygur-muslim-detainees>>
115. “China will put China first, says Kadir Jasin – Signs are everywhere that China companies and workers will be monopolising China-funded projects in Malaysia, claims the veteran newsman”, *Free Malaysia Today*, 20th February 2017. <<http://www.freemalaysiatoday.com/category/nation/2017/02/20/china-will-put-china-first-says-kadir-jasin/>>

116. “菲大法官：多個強國正執行南海仲裁結果”，聯合新聞網 (*United Daily News*) (Taiwan), 9th July 2018. <<https://udn.com/news/story/6809/3243007>>
117. “Duterte: China has promised to protect PH” (reported by Julie M. Aurelio), *Philippine Daily Inquirer*, 7th May 2018. <<http://globalnation.inquirer.net/166651/duterte-china-promised-protect-ph>>
118. “Duterte to China: ‘If you want, just make us a province’” (reported by Richard Javad Heydarian, *Asia Times*), *The National Interest*, 22nd February 2018. <<https://nationalinterest.org/blog/the-buzz/duterte-china-%E2%80%98if-you-want-just-make-us-province%E2%80%99-24599>>
119. Case (2018: 20), citing “Overseas Chinese students to be targets of ‘patriotic’ education: Chinese Ministry of Education directive wants students abroad to have a ‘positive patriotic energy’”, *Times Higher Education*, 17th February 2016. <<https://www.timeshighereducation.com/news/overseas-chinese-students-be-targets-patriotic-education>>
120. ODN, 23rd April 2014.
121. “Chinese spies at Sydney University” (reported by John Garnaut), *The Sydney Morning Herald*, 21st April 2014. <<http://www.smh.com.au/nation/chinese-spies-at-sydney-university-20140420-36ywk.html>>
122. *Ibid.*
123. *Ibid.*
124. “Chinese interference in New Zealand at ‘critical’ stage, says Canada spy report” (reported by Eleanor Ainge Roy), *The Guardian* (UK), 1st June 2018 (international edition). <<https://www.theguardian.com/world/2018/jun/01/chinese-interference-in-new-zealand-at-critical-stage-says-canada-spy-report>>
125. “蔡英文：面對中國壓力，台民主不走回頭路”，*SCJP*, 25th June 2018 (online). <<http://www.sinchew.com.my/node/1768266/> 蔡英文：面对中国压力，台民主不走回头路>; “蔡英文：中國是反民主勢力 台灣不會走回頭路”，蘋果日報 (*Apple Daily*, Taiwan), 25th June 2018 (online).

- <<https://tw.appledaily.com/new/realtime/20180625/1379311/>>
126. “China’s ‘One Belt One Road’ project hits political, financial hurdles” (reported by *Associated Press*), *Hindustan Times*, 11th January 2018. <<https://www.hindustantimes.com/world-news/china-s-one-belt-one-road-project-hits-political-financial-hurdles/story-Ggs6rjv0gAHJTlFg06rQzO.html>>
 127. “中國一帶一路遇阻 尼泊爾再收回水電廠計劃”, *NYSP*, 1st June 2018. <<http://www.enanyang.my/news/20180601/> 中国一帶一路遇阻 - 尼泊尔再收回水电厂计划 />
 128. “China’s modern Silk Road hits political and financial hurdles” (reported by *AP*), *Irish Independent*, 11th January 2018. <<https://www.independent.ie/world-news/chinas-modern-silk-road-hits-political-and-financial-hurdles-36477856.html>>
 129. “China’s ‘One Belt One Road’ project hits political, financial hurdles” (reported by *Associated Press*), *Hindustan Times*, 11th January 2018. <<https://www.hindustantimes.com/world-news/china-s-one-belt-one-road-project-hits-political-financial-hurdles/story-Ggs6rjv0gAHJTlFg06rQzO.html>>
 130. “China’s modern Silk Road hits political and financial hurdles” (reported by *AP*), *Irish Independent*, 11th January 2018. <<https://www.independent.ie/world-news/chinas-modern-silk-road-hits-political-and-financial-hurdles-36477856.html>>
 131. “What will Pakistan’s new leader Imran Khan deliver for China? – The election of the former cricketer as prime minister of Pakistan leaves plans for the China-Pakistan Economic Corridor on a sticky wicket” (reported by Tom Hussain), *South China Morning Post* (Hong Kong), 28th July 2018. <<https://www.scmp.com/week-asia/politics/article/2157234/what-will-pakistans-new-leader-imran-khan-deliver-china>>
 132. “What will Pakistan’s new leader Imran Khan deliver for China? – The election of the former cricketer as prime minister of Pakistan leaves plans

for the China-Pakistan Economic Corridor on a sticky wicket” (reported by Tom Hussain), *South China Morning Post*, 28th July 2018. <<https://www.scmp.com/week-asia/politics/article/2157234/what-will-pakistans-new-leader-imran-khan-deliver-china>>

133. “What do you get if you cross Pakistan’s Game of Thrones and China’s Belt and Road?” (reported by Tom Hussain), *South China Morning Post* (Hong Kong), 28th October 2017. <<https://www.scmp.com/week-asia/geo-politics/article/2117351/what-do-you-get-if-you-cross-pakistans-game-thrones-and-chinas>>
134. “所有協議需新國會審查 巴國模仿馬哈迪模式?” [all agreements need review by parliament: Pakistan emulates the Mahathir model?], *NYSP*, 27th July 2018. <<http://www.enanyang.my/news/20180727/> 所有协议需新国会审查 - 巴国模仿马哈迪模式 />
135. “Pakistan cuts Chinese ‘Silk Road’ rail project by \$2 billion due to debt concerns” (reported by Mubasher Bukhari), *Reuters*, 1st October 2018. <<https://www.reuters.com/article/us-pakistan-silkroad-railways/pakistan-cuts-chinese-silk-road-rail-project-by-2-billion-due-to-debt-concerns-iduskcn1mb2v8?il=0>>
136. “China’s ‘Silk Road’ push stirs resentment and protest in Sri Lanka” (reported by Shihar Aneez), *Reuters*, 2nd February 2017. <<https://www.reuters.com/article/us-sri-lanka-china-insight/chinas-silk-road-push-stirs-resentment-and-protest-in-sri-lanka-idUSKBN15G5UT>>
137. “China’s ‘One Belt One Road’ project hits political, financial hurdles” (reported by Associated Press), *Hindustan Times*, 11th January 2018. <<https://www.hindustantimes.com/world-news/china-s-one-belt-one-road-project-hits-political-financial-hurdles/story-Ggs6rjv0gAHJTlFg06rQzO.html>>
138. “一帶一路遇阻力 中泰鐵路進度慢”, *ODN*, 15th July 2018. <<http://www.orientaldaily.com.my/s/251534>>

139. “Vietnam mass protests expose Hanoi’s China dilemma – The protests highlight the difficulties in embracing Chinese investment while defending Vietnamese independence” (reported by Tom Fawthrop), *The Diplomat*, 21st June 2018. <<https://thediplomat.com/2018/06/vietnam-mass-protests-expose-hanoi-china-dilemma/>>
140. “China’s modern Silk Road hits political and financial hurdles” (reported by AP), *Irish Independent*, 11th January 2018. <<https://www.independent.ie/world-news/chinas-modern-silk-road-hits-political-and-financial-hurdles-36477856.html>>
141. “一帶一路引危機 6 國外債拉警報”, *ODN*, 17th July 2018. <<http://www.orientaldaily.com.my/s/251844>>
142. “Sierra Leone’s new president doesn’t mince words. He called China infrastructure projects ‘a sham’”, *South China Morning Post* (Hong Kong), 5th April 2018. <<https://www.scmp.com/news/world/africa/article/2140363/sierra-leones-new-president-doesnt-mince-words-he-called-china>>
143. “Sierra Leone cancels \$300 million airport deal with China”, *CNN*, 11th October 2018 <<https://edition.cnn.com/2018/10/11/africa/china-africa-sierra-leone-airport-intl/index.html>>; “Mamamah airport: Sierra Leone cancels China-funded project”, *BBC News*, 10th October 2018 <<https://www.bbc.com/news/world-africa-45809810>>.
144. “China’s ‘Silk Road’ push stirs resentment and protest in Sri Lanka” (reported by Shihar Aneez), *Reuters*, 2nd February 2017. <<https://www.reuters.com/article/us-sri-lanka-china-insight/chinas-silk-road-push-stirs-resentment-and-protest-in-sri-lanka-idUSKBN15G5UT>>
145. “Inside China’s \$1 billion port in Lanka where ships don’t want to stop” (reported by Bloomberg), *The Times of India*, 18th April 2018. <<https://timesofindia.indiatimes.com/business/international-business/inside-chinas-1-billion-port-where-ships-dont-want-to-stop/articleshow/63811395.cms>>
146. 陳廣恩 (Chan Kwong-yan) (2015). 中國古代的文化專制 [ancient Chinese cultural autocracy]. 燦爛的中國文明 [the splendid Chinese

- civilization] website. Kowloon, Hong Kong (香港九龍): 中國文化研究院 (The Academy of Chinese Studies). <https://www.chiculture.net/index.php?file=topic_description&old_id=1004> / Robert G. Torricelli (2001). *Quotations for public speakers: A historical, literary, and political anthology*, p. 121 – “Contemporary witnesses”. <<http://izquotes.com/quote/268865>>
147. Joseph Stalin (Иосиф Сталин), *Words*, n.p., n.d., quoted in Sleeper (1987), p. 191. / 陳廣恩 (Chan Kwong-yan) (2015). 中國古代的文化專制 [ancient Chinese cultural autocracy]. 燦爛的中國文明 [the splendid Chinese civilization] website. Kowloon, Hong Kong (香港九龍): 中國文化研究院 (The Academy of Chinese Studies). <https://www.chiculture.net/index.php?file=topic_description&old_id=1004>
148. 陳廣恩 (Chan Kwong-yan) (2015). 中國古代的文化專制 [ancient Chinese cultural autocracy]. 燦爛的中國文明 [the splendid Chinese civilization] website. Kowloon, Hong Kong (香港九龍): 中國文化研究院 (The Academy of Chinese Studies). <https://www.chiculture.net/index.php?file=topic_description&old_id=1004>
149. R. Kent Guy (1987). *The emperor's four treasures: Scholars and the State in the late Qianlong period*. Cambridge, MA: Harvard University Press, page 176 (under the section “The Growth of the Literary Inquisition (1776-1782)”). <https://books.google.com.my/books?id=bFA6a60_5LgC&pg=PA78&dq=The+Emperor%27s+Four+Treasures:+Scholars+and+the+State+in+the+Late+Ch%27ien-lung+Era.&hl=en#v=onepage&q=The%20Emperor's%20Four%20Treasuries%3A%20Scholars%20and%20the%20State%20in%20the%20Late%20Ch'ien-lung%20Era.&f=false>
150. “Chinese artist Ai Weiwei blasts ‘inhuman’ Communist regime” (reported by AFP), *Mutual Art*, 7th November 2010 <https://www.mutualart.com/Article/Chinese-artist-Ai-Weiwei-blasts--inhuman/7F83781FC34E7D06?utm_campaign=matwitter&utm_term=MAarticles>; “Internet best gift to China says artist and social activist Ai Weiwei”, *Art Radar*, 16th November

- 2010 <<http://artradarjournal.com/2010/11/16/internet-best-gift-to-china-says-artist-and-social-activist-ai-weiwei-117/>>.
151. Case (2018: 15), citing *The Economist* (“Liberation technology: Mobiles, protests and pundits – Mobile phones are changing politics faster than academics can follow”, 26th October 2006 <<https://www.economist.com/international/2006/10/26/mobiles-protests-and-pundits>>) and Rafael (2003).
 152. Case (2018: 15), citing *The Economist* (“Chaining giants: Internet firms face a global techlash – Though big tech firms are thriving, they are facing more scrutiny than ever”, 10th August 2017 <<https://www.economist.com/international/2017/08/10/internet-firms-face-a-global-techlash>>).
 153. “德語媒體：玻璃人”，*Deutsche Welle*, 26th May 2016. <<http://www.dw.com/zh/德語媒體玻璃人/a-19285068?&zhongwen=simp>>
 154. “德語媒體：全民打分制還是全面監控制？”，*Deutsche Welle*, 27th May 2017. <<http://www.dw.com/zh/德語媒體全民打分制還是全面監控制/a-39009933?&zhongwen=simp>>
 155. “Leave no dark corner: China is building a digital dictatorship to exert control over its 1.4 billion citizens. For some, “social credit” will bring privileges — for others, punishment.” (reported by Matthew Carney), *ABC News*, 18th September 2018 (updated 19th September 2018). <<http://www.abc.net.au/news/2018-09-18/china-social-credit-a-model-citizen-in-a-digital-dictatorship/10200278?pfmredir=sm>>
 156. “Leave no dark corner: China is building a digital dictatorship to exert control over its 1.4 billion citizens. For some, “social credit” will bring privileges — for others, punishment.” (reported by Matthew Carney), *ABC News*, 18th September 2018 (updated 19th September 2018). <<http://www.abc.net.au/news/2018-09-18/china-social-credit-a-model-citizen-in-a-digital-dictatorship/10200278?pfmredir=sm>>
 157. “德語媒體：北京的“眼睛”網紅的“生活””，*Deutsche Welle*, 27th September 2017. <<http://www.dw.com/zh/德語媒體北京的眼睛-網>>

- 红的生活 /a-40713699?&zhongwen=simp>
158. “Leave no dark corner: China is building a digital dictatorship to exert control over its 1.4 billion citizens. For some, “social credit” will bring privileges — for others, punishment.” (reported by Matthew Carney), *ABC News*, 18th September 2018 (updated 19th September 2018). <<http://www.abc.net.au/news/2018-09-18/china-social-credit-a-model-citizen-in-a-digital-dictatorship/10200278?pfmredir=sm>>
159. “德語媒體：北京的“眼睛”網紅的“生活””, *Deutsche Welle*, 27th September 2017. <<http://www.dw.com/zh/德語媒體北京的眼睛-網紅的生活/a-40713699?&zhongwen=simp>>
160. “德語媒體：無所不知的“社會信用體系””, *Deutsche Welle*, 27th July 2017. <<http://www.dw.com/zh/德語媒體無所不知的社會信用體系/a-39865942?&zhongwen=simp>>
161. “德語媒體：無所不知的“社會信用體系””, *Deutsche Welle*, 27th July 2017. <<http://www.dw.com/zh/德語媒體無所不知的社會信用體系/a-39865942?&zhongwen=simp>>
162. “專訪：社會信用體系成“國家全面監控”?”, *Deutsche Welle*, 26th December 2017. <<http://www.dw.com/zh/專訪社會信用體系成國家全面監控/a-41896442?&zhongwen=simp>>
163. “專訪：社會信用體系成“國家全面監控”?”, *Deutsche Welle*, 26th December 2017. <<http://www.dw.com/zh/專訪社會信用體系成國家全面監控/a-41896442?&zhongwen=simp>>
164. “In China’s far west, companies cash in on surveillance program that targets Muslims” (reported by Charles Rollet), *Foreign Policy*, 13th June 2018. <<https://foreignpolicy.com/2018/06/13/in-chinas-far-west-companies-cash-in-on-surveillance-program-that-targets-muslims/>>
165. “機器當家 刷臉治國”, *Deutsche Welle*, 17th April 2018. <<http://www.dw.com/zh/機器當家-刷臉治國/a-43416957?&zhongwen=simp>>
166. “Inside the creepy and impressive startup funded by the Chinese government that is developing AI that can recognize anyone, anywhere”

- (reported by Harrison Jacobs), *Business Insider*, 8th July 2018. <<https://www.businessinsider.my/china-facial-recognition-tech-company-megvii-faceplusplus-2018-5/?r=US&IR=T>>
167. “China is building a vast civilian surveillance network – here are 10 ways it could be feeding its creepy ‘social credit system’” (reported by Alexandra Ma), *Business Insider*, 29th April 2018. <https://www.businessinsider.my/how-china-is-watching-its-citizens-in-a-modern-surveillance-state-2018-4/?_ga=2.227462234.610443732.1533698966-610605551.1532237894&r=US&IR=T>
168. “今天你刷臉了嗎？全民監控在中國”，*Deutsche Welle*, 29th December 2017. <<http://www.dw.com/zh/今天你刷脸了吗全民监控在中国/a-41969971?&zhongwen=simp>>
169. Provincial-level administrative units in the People’s Republic of China refer to the country’s 31 “*sheng*” (省, i.e. provinces of Anhui / 安徽, Fujian / 福建, Gansu / 甘肅, Guangdong / 廣東, Guizhou / 貴州, Hainan / 海南, Hebei / 河北, Heilongjiang / 黑龍江, Henan / 河南, Hubei / 湖北, Hunan / 湖南, Jiangsu / 江蘇, Jiangxi / 江西, Jilin / 吉林, Liaoning / 遼寧, Qinghai / 青海, Shaanxi / 陝西, Shandong / 山東, Shanxi / 山西, Sichuan / 四川, Yunnan / 雲南 and Zhejiang / 浙江), “*zizhiqu*” (自治區, i.e. “autonomous regions” – each a first-level administrative subdivision having its own local government, and a minority entity that has a higher population of a particular minority ethnic group – of Guangxi / 廣西 of the Zhuang / 壯, Nei Monggol/Inner Mongolia / 內蒙古 of the Mongols, Ningxia / 寧夏 of the Hui / 回, Xizang/Tibet / 西藏 of the Tibetans and Xinjiang / 新疆 of the Uyghurs) and “*zhixiashi*” (直轄市, i.e. municipalities directly ruled by the central government – Beijing / 北京, Chongqing / 重慶, Shanghai / 上海 and Tianjin / 天津).
170. “China is building a vast civilian surveillance network – here are 10 ways it could be feeding its creepy ‘social credit system’” (reported by

Alexandra Ma), *Business Insider*, 29th April 2018. <https://www.businessinsider.my/how-china-is-watching-its-citizens-in-a-modern-surveillance-state-2018-4/?_ga=2.227462234.610443732.1533698966-610605551.1532237894&r=US&IR=T>

171. "In China's far west, companies cash in on surveillance program that targets Muslims" (reported by Charles Rollet), *Foreign Policy*, 13th June 2018. <<https://foreignpolicy.com/2018/06/13/in-chinas-far-west-companies-cash-in-on-surveillance-program-that-targets-muslims/>>
172. "China may have detained more than 1 million Uighurs in secret camps, UN human rights panel says", *ABC News*, 11th August 2018 <<http://www.abc.net.au/news/2018-08-11/china-holding-1-million--uighurs-in-secret-camps-un-says/10109290>>; "China Uighurs: One million held in political camps, UN told", *BBC News*, 11th August 2018 <<https://www.bbc.com/news/world-asia-china-45147972>>.
173. "中國鐵腕統治 新疆維吾爾再教育營慘況曝光" [China rules with an iron fist, dire condition of Xinjiang's Uyghur re-education camps exposed], 中央通訊社 (Central News Agency / CAN, Taiwan), 19th August 2018. <<http://www.cna.com.tw/news/firstnews/201808190008-1.aspx>>
174. Also as *Heidayi* (黑大衣, "black robe"), *Heidaye* (黑大爺, "black master/uncle"), today a highly pejorative term Uyghurs use privately and in anti-Beijing demonstrations to call China's demographically and politically dominant Han (漢) Chinese, is similar in pronunciation to the Uyghur term for Han Chinese, *Khitay* (和台), which is in turn derived from the Mongolian term for China, *Hyatad*, originally referring to the Khitan (契丹) people who during their Liao Dynasty (大遼) ruled from 907 to 1125 over present-day Mongolia and parts of the Russian Far East, Manchuria, northern China, and northeastern Korea, which also gave rise to the old English name for China, *Cathay*.

175. “Leave no dark corner: China is building a digital dictatorship to exert control over its 1.4 billion citizens. For some, “social credit” will bring privileges — for others, punishment.” (reported by Matthew Carney), *ABC News*, 18th September 2018 (updated 19th September 2018). <<http://www.abc.net.au/news/2018-09-18/china-social-credit-a-model-citizen-in-a-digital-dictatorship/10200278?pfmredir=sm>>
176. “Leave no dark corner: China is building a digital dictatorship to exert control over its 1.4 billion citizens. For some, “social credit” will bring privileges — for others, punishment.” (reported by Matthew Carney), *ABC News*, 18th September 2018 (updated 19th September 2018). <<http://www.abc.net.au/news/2018-09-18/china-social-credit-a-model-citizen-in-a-digital-dictatorship/10200278?pfmredir=sm>>
177. “In China’s far west, companies cash in on surveillance program that targets Muslims” (reported by Charles Rollet), *Foreign Policy*, 13th June 2018. <<https://foreignpolicy.com/2018/06/13/in-chinas-far-west-companies-cash-in-on-surveillance-program-that-targets-muslims/>>
178. “In China’s far west, companies cash in on surveillance program that targets Muslims” (reported by Charles Rollet), *Foreign Policy*, 13th June 2018. <<https://foreignpolicy.com/2018/06/13/in-chinas-far-west-companies-cash-in-on-surveillance-program-that-targets-muslims/>>
179. “In China’s far west, companies cash in on surveillance program that targets Muslims” (reported by Charles Rollet), *Foreign Policy*, 13th June 2018. <<https://foreignpolicy.com/2018/06/13/in-chinas-far-west-companies-cash-in-on-surveillance-program-that-targets-muslims/>>
180. “While Trump’s ‘zero-tolerance’ immigration policy sparks controversy in the US, China is detaining hundreds of thousands of legal citizens for doing nothing wrong” (reported by Tara Francis Chan), *Business Insider*, 22nd June 2018. <<https://www.businessinsider.my/photos-satellite-images-china-xinjiang-reeducation-detention-centers-2018-6/?r=US&IR=T>>

181. "While Trump's 'zero-tolerance' immigration policy sparks controversy in the US, China is detaining hundreds of thousands of legal citizens for doing nothing wrong" (reported by Tara Francis Chan), *Business Insider*, 22nd June 2018. <<https://www.businessinsider.my/photos-satellite-images-china-xinjiang-reeducation-detention-centers-2018-6/?r=US&IR=T>>
182. "德語媒體：無所不知的“社會信用體系”", *Deutsche Welle*, 27th July 2017. <<http://www.dw.com/zh/德語媒體無所不知的社會信用體系/a-39865942?&zhongwen=simp>>
183. "Leave no dark corner: China is building a digital dictatorship to exert control over its 1.4 billion citizens. For some, "social credit" will bring privileges — for others, punishment." (reported by Matthew Carney), *ABC News*, 18th September 2018 (updated 19th September 2018). <<http://www.abc.net.au/news/2018-09-18/china-social-credit-a-model-citizen-in-a-digital-dictatorship/10200278?pfmredir=sm>>
184. "China orders Ai Weiwei to pay \$2.4 million for "tax evasion"", *Reuters*, 1st November 2011 <<https://www.reuters.com/article/us-china-artist/china-orders-ai-weiwei-to-pay-2-4-million-for-tax-evasion-idUSTRE7A00NZ20111101>>; Case (2018: 15) citing *The Economist* ("Beware the taxman: Tax authorities are the latest tools of repression in Africa – Entrenched leaders are turning revenue collectors into scourges of the opposition", 30th September 2017 <<https://www.economist.com/middle-east-and-africa/2017/09/30/tax-authorities-are-the-latest-tools-of-repression-in-africa>>).
185. Case (2018: 15) citing *The Economist* ("Dark days: Cambodia is systematically squashing all forms of dissent – Unions, NGOs and environmental activists are all feeling the squeeze", 19th December 2017 <<https://www.economist.com/asia/2017/12/19/cambodia-is-systematically-squashing-all-forms-of-dissent>>).
186. "Live updates: Supreme Court rules to dissolve CNRP", *The Phnom Penh Post*, 16th November 2017. On that day, the ASEAN Parliamentarians for

Human Rights chairperson Charles Santiago, a member of the Malaysian parliament from the then Malaysian opposition party the Democratic Action Party (DAP), released a reaction to the court's decision: "The Supreme Court has hammered the final nail in the coffin for Cambodian democracy. Its decision not only leaves the country without its only viable opposition party less than a year before scheduled elections, but also completely undermines Cambodia's institutional framework and the rule of law." <<https://www.phnompenhpost.com/national-post-depth-politics/live-blog-supreme-court-rules-dissolve-cnrp>>

187. "Let the *hexie* spirit transcend the confrontational spirit of the three generations of conventional human rights, to cultivate and produce a new generation of human rights – the *hexie* rights (rights of harmony). *Hexie* rights will become the foundation stone and key element of the building of the *hexie shijie* (harmonious world)." (以和諧精神超越傳統三代人權的對抗精神，將化育出新一代人權——和諧權。和諧權將成為和諧世界建設的基石和要素。) (See “法學專家徐顯明提出第四代人權 ‘和諧權’”，中國新聞網／騰訊網，22nd November 2006 <<http://news.qq.com/a/20061122/002038.htm>>.)
188. Alan Ryan was referring to this as Bertrand Russell's debt to Aldous Huxley's *Brave new world* whose ideas Russell thought as having been stolen from him (see Alan Ryan, *Bertrand Russell: A political life*, Allen Lane/The Penguin Press, London, 1988, re-published in Penguin Books, London, 1990, p. 136).

References

- Bo Zhiyue (2017). Commentary: The changing meaning of political legitimacy for the Chinese Communist Party. *Channel NewsAsia (CNA)* (Singapore). 7th Oct 2017. <<https://www.channelnewsasia.com/news/asia/commentary-chinese-communist-party-congress-political-legitimacy-9275052>>

- Botsman, Rachel (2017). Big data meets Big Brother as China moves to rate its citizens. *Wired*, 21st October 2017 (updated 28th November 17). <<https://www.wired.co.uk/article/chinese-government-social-credit-score-privacy-invasion>> (An extract from *Who can you trust? How technology brought us together and why it might drive us apart* (Penguin Portfolio) by Rachel Botsman, published on 4th October 2017)
- Callahan, William A. (2010). *China: The pessimist nation*. Oxford: Oxford University Press.
- Case, William (2018). Globalization's reversal and regional surge: with notes on the Maritime Silk Road and Malaysia. In: Samuel C.Y. Ku and Herlin Chien (eds), *Southeast Asia: Beyond borders and boundaries*. Kaohsiung, Taiwan: Wenzao University Press, pp. 11-26.
- Chua, Amy (2003). *World on fire: How exporting free market democracy breeds ethnic hatred and global instability*. Doubleday, a division of Random House, Inc., New York (paperback published by Anchor Books, a division of Random House, Inc., New York, January 2004).
- Cooley, Alexander (2013). The League of Authoritarian Gentlemen. *Foreign Policy*, 30th January 2013. <<https://foreignpolicy.com/2013/01/30/the-league-of-authoritarian-gentlemen/>>
- Desjardins, Jeff (2018). Visualizing China's most ambitious megaproject. *Visual Capitalist*, 15th March 2018. <<http://www.visualcapitalist.com/ambitious-infrastructure-megaproject/>>
- Dirlik, Arif and Roxann Prazniak (2013). Social justice, democracy and the politics of development: The People's Republic of China in global perspective. In: Emile Kok-Kheng Yeoh (ed.), *China: Developmental model, state-civil societal interplay and foreign relations – ICS tenth anniversary commemorative anthology* (745 pp. + xxi). Kuala Lumpur: Institute of China Studies, University of Malaya, pp. 31-59. <<https://www.dropbox.com/s/ty2j9w901gnjmv6/ICS-10Anniv-book-250913-with-cover-horiz-plates3-7-xxi-aligned-736-7Scopus.pdf>>

- Dobson, William J. (2012). *The dictator's learning curve: Inside the global battle for democracy*. New York: Doubleday (paperback edition published by Anchor Books, New York, 2013).
- Dodwell, David (2018). Tillerson's final warning on Belt and Road financing only proves China's influence on the rise. *South China Morning Post* (Hong Kong) (Opinion), 23rd March 2018. <<https://www.scmp.com/business/global-economy/article/2138539/tillersons-final-warning-belt-and-road-financing-only-proves>>
- Elcoate, Arran (2018). 'We are Chinese': How China is influencing Sierra Leone's presidential election. *The Diplomat* (China Power blog), 16th March 2018. <<https://thediplomat.com/2018/03/we-are-chinese-how-china-is-influencing-sierra-leones-presidential-election/>>
- Gupta, Sonika (2018). China's social credit system fuels authoritarian regime. *Asia Times*, 5th May 2018. <<http://www.atimes.com/chinas-social-credit-system-fuels-an-authoritarian-regime/>>
- Guy, R. Kent (1987). *The emperor's four treasuries: Scholars and the State in the late Qianlong period*. Cambridge, MA: Harvard University Press.
- Hewison, Kevin (2018). Thailand: An old relationship renewed. *The Pacific Review*, Vol. 31, No. 1, pp. 116-130.
- Hobbes, Thomas (1651). *Leviathan, The Matter, Forme and Power of a Common Wealth Ecclesiasticall and Civil*. Published by Andrew Crooke. / *Leviathan* (Oxford World's Classics). New York: Oxford University Press, 2009.
- Hu Lianhe (胡聯合), Hu Angang (胡鞍鋼), He Shenghong (何勝紅) and Guo Yong (過勇) (2009). 《當代中國社會穩定問題報告》[report on contemporary China's social stability]. Beijing: 紅旗出版社。
- Huxley, Aldous (1932). *Brave new world*. London: Chatto & Windus Ltd (republished, with a 1946 "Foreword" by author, by Harper & Bros., New York and London, 1946, and Granada Publishing Limited, London, 1977).

- Huxley, Aldous (1959). *Brave new world revisited*. London: Chatto & Windus Ltd (re-published by Grafton Books, London, 1983).
- Ignatius, Dennis (2017). Why China is different – One thing is clear enough: by almost any reckoning China is unlike any other country we deal with. *Free Malaysia Today* (Comment), 3rd February 2017. <<http://www.freemalaysiatoday.com/category/opinion/2017/02/03/why-china-is-different/>>
- Jacques, Martin (2009). *When China rules the world: The rise of the Middle Kingdom and the end of the Western world*. London: Allen Lane. (Second edition, updated and expanded, 2012, as *When China rules the world: The end of the Western world and the birth of a new global order*. London: Penguin Books.)
- Johnson, Ian (2017). Liu Xiaobo: The man who stayed. *ChinaFile* (New York: Center on U.S.-China Relations at Asia Society), 14th July 2017. <<http://www.chinafile.com/library/nyrb-china-archive/liu-xiaobo-man-who-stayed>>
- Jomo KS (2018). Jomo on Malaysia-China ties. *Free Malaysia Today* (Comment), 26th July 2018. <<http://www.freemalaysiatoday.com/category/opinion/2018/07/26/jomo-on-malaysia-china-ties/>>
- Kurlantzick, Joshua (2007). *Charm offensive: How China's soft power is transforming the world*. New Haven: Yale University Press.
- LeVine, Steve (2015). Do as Rome does: China is building the most extensive global commercial-military empire in history. *Quartz* (qz.com), 9th June. <<http://qz.com/415649/china-is-building-the-most-extensive-global-commercial-military-empire-in-history/>>
- Liew Chin Tong (2018). The Mahathir Doctrine: A new deal between Malaysia and China. *Free Malaysia Today* (Comment), 13th July 2018. <<http://www.freemalaysiatoday.com/category/opinion/2018/07/13/the-mahathir-doctrine-a-new-deal-between-malaysia-and-china/>>
- Liu Xiaobo (劉曉波) (2009). 《大國沉淪 —— 寫給中國的備忘錄》 [great nation drowning: a memorandum for China]. Taipei: 允晨文化實業股份

有限公司。

- Lo, Wai Han (2016). Citizen camera-witnessing: A case study of the Umbrella Movement. *Contemporary Chinese Political Economy and Strategic Relations: An International Journal*, Vol. 2, No. 2, August/September 2016, pp. 795-815.
- Loy, Jennifer (2018). Mackinder and Mahan: The Chinese geopolitics in South Asia. *RealClear Defense*, 15th March 2018. <https://www.realcleardefense.com/articles/2018/03/15/mackinder_and_mahan_the_chinese_geopolitics_in_south_asia_113199.html>
- McMullen, David (2013). Memorials and essays: Political protest in late medieval China. In: Emile Kok-Kheng Yeoh (ed.), *China: Developmental model, state-civil societal interplay and foreign relations – ICS tenth anniversary commemorative anthology* (745 pp. + xxi). Kuala Lumpur: Institute of China Studies, University of Malaya, pp. 83-113. <<https://www.dropbox.com/s/ty2j9w901gnjmv6/ICS-10Anniv-book-250913-with-cover-horiz-plates3-7-xxi-aligned-736-7Scopus.pdf>>
- Mellgard, Peter (2017). This visualization shows China's jailed, murdered and missing political prisoners. *The WorldPost* (a partnership of *HuffPost* and the Berggruen Institute), 17th March 2017 (updated 19th March 2017). <http://www.huffingtonpost.com/entry/political-prisoners-china-database_us_589a1d83e4b09bd304be3300>
- Millward, James A. (2017). Open Letter to Cambridge University Press about its censorship of the journal *China Quarterly*. *Medium*, 19th August 2017. <<https://medium.com/@millwarj/open-letter-to-cambridge-university-press-about-its-censorship-of-the-journal-china-quarterly-c366f76dcadac>>
- Nathan, Andrew J. (2015). China's challenge. *Journal of Democracy*, Vol. 26, Issue 1, pp. 156-170.
- Nye, Joseph S., Jr (1990). *Bound to lead: The changing nature of American power*. New York: Basic Books.

- Nye, Joseph S., Jr (2004). *Soft power: The means to success in world politics*. New York: Public Affairs.
- Nye, Joseph S., Jr (2008). The Olympics and Chinese soft power. *Huffpost*, 24th August. <http://www.huffingtonpost.com/joseph-nye/the-olympics-and-chinese_b_120909.html>
- Orwell, George (Eric Blair) (1949). *Nineteen eighty-four*. London: Martin Secker & Warburg (re-published by Penguin Books Ltd, Harmondsworth, Middlesex, England, 1954).
- Puddington, Arch (2015). *Freedom in the World 2015 – Discarding democracy: Return to the iron fist*. Washington, DC: Freedom House. <https://www.freedomhouse.org/sites/default/files/01152015_FIW_2015_final.pdf>
- Postman, Neil (1985). *Amusing ourselves to death: Public discourse in the age of show business*. New York: Penguin Books (first published 1985; 20th anniversary paperback edition published December 27th, 2005)
- Rafael, Vicente L. (2009). The cell phone and the crowd: Messianic politics in the contemporary Philippines. *Public Culture*, Vol. 15, No. 3, pp. 399-425.
- Rushdie, Salman (2012). *Joseph Anton: A memoir*. New York: Random House (Random House Trade Paperback Edition, 2013).
- Ryan, Alan (1990). *Bertrand Russell: A political life*. London: Penguin Books (re-published). (First published by Allen Lane/The Penguin Press, London, 1988.)
- Sharp, Gene (2010). *From dictatorship to democracy: A conceptual framework for liberation*. 4th U.S. edition. Boston, MA: The Albert Einstein Institution (originally published in Bangkok in 1993 by the Committee for the Restoration of Democracy in Burma; 1st U.S. edition, 2002).
- Sleeper, Raymond S. (1987). Soviet deception through words. In: Raymond S. Sleeper (ed.), *Mesmerized by the bear: The Soviet strategy of deception*. New York: Dodd, Mead & Company, pp. 189-207.
- Stinchcombe, Arthur L. (1968). *Constructing social theories*. Chicago: University of Chicago Press.

- Walker, Christopher and Jessica Ludwig (2017). The meaning of sharp power: How authoritarian states project influence. *Foreign Affairs* (Snapshot feature) 16th November 2017. <<https://www.foreignaffairs.com/articles/china/2017-11-16/meaning-sharp-power>>
- Wang Dan (王丹) (2012). 《王丹回憶錄：從六四到流亡》 [Wang Dan's memoir: from June Fourth to exile]. Taipei: 時報文化出版企業股份有限公司 (China Times Publishing Company).
- Xiang Songzhen (向松祚) (2018). 一語驚醒 13 億國人：我們的根本問題不是中美關係 [awakening 1.3 billion people: our fundamental problem is not Sino-US relations]. 未來局勢 [future situation], 28th May 2018. <<http://mp.weixin.qq.com/s/JJmYkcNCMcHQeptWdqNNUQ>>

Contemporary Chinese Political Economy and Strategic Relations: An International Journal

Volume 4 Number 1 April 2018 (Special Issue) ISSN 2410-9681

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